# EPA Reg. No. 1381-170 Vol. 4

# Material Sent for Data Extraction

| Reg. #1381-170   |
|--|
| Description: Wolfination   |
| Material(s) Sent to Data Extraction Contractors:   |
| ☐ New Stamped Label Dated  |
| Notification Dated 12 79/11  |
| ☐ New CSF(s) Dated   |
| ☐ Other:   |
| ☐ Decision #: <u>489196</u>  |
| Other Action/Comments:   |
| File this coversheet and attached materials in the jacket. It must be well organized and clipped together, NOT STAPLED. Then give the jacket with the coversheet and materials to staff in the Information Services Center (ISC) (Room S-4900). If a jacket is full or only available as an image, please file materials in a new jacket and bring it down to the (ISC). For further information please call 703-605-0716. |
| Reviewer: Jennifer Urbanski  |
| Phone: 347-0156 Division: RD   |
| Date: 12   79   11   |

# **Material Sent for Data Extraction**

| Reg   | g. No. <u>/38/-/20</u>                |  |  |  |
|---|---------------------------------------|--|--|--|
| Description: Occapitable MFA-PEN 93-10  |                                       |  |  |  |
|   |                                       |  |  |  |
| Material(s) Se  | ent to Data Extraction contractors:   |  |  |  |
| □ N   | ewly stamped accepted label Dated:    |  |  |  |
| ₩ N   | otification Dated: 11/23/2011         |  |  |  |
| × N   | ew CSF Dated: 11/28/2011              |  |  |  |
|   | ther:                                 |  |  |  |
| Decision #: 4   | 58883                                 |  |  |  |
| File this coversheet and attach materials in the jacket. It must be well organized and clipped together, NOT STAPLED. Then give the Jacket with the coversheet and materials inside, to Staff in the Information Services Center(ISC) (Room S-4900) or place in the designated bin. If the Jacket is full or only available as an image, please file materials in a new jacket cover follow the same procedure as above. For further information, please call 703-605-0716. |                                       |  |  |  |
| Reviewer's Na   | me: Alganesh Dobesai                  |  |  |  |
|   | <u>3353</u> Division: <u>RD</u>       |  |  |  |
| Date:/  | 2 /29/20// Created September 28, 2011 |  |  |  |

13a



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Alice Walker, Ph.D. Winfield Solutions LLC 3094 Country Club Rd. Senatobia, MS 38668

DEC 2 9 2011

Subject:

Notification to add directions for water soluble packaging

Actellic 5E Insecticide EPA Reg. #1381-170 Decision #: 459196

Submission date: November 28, 2011

Dear Dr. Walker:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated November 28, 2011, for the product Actellic 5E Insecticide, EPA Reg. #1381-170. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-347-0156 or urbanski.jennifer@epa.gov.

Sincerely,

Jennifer Urbanski, Ph.D. Insecticide Rodenticide Branch Registration Division (7505P)

Office of Pesticide Programs

| Please read instructions on rev   | erse before cc        | ting form.   | Fo                                     | m_Approved.           | "3 No. 2070-006                       | 0. Approval expires 2-28-95               |
|---|-----------------------|--|--|-----------------------|---------------------------------------|---|
|   | United                | States   |  | Registra              | uon                                   | OPP Identifier Number                     |
| — - Environmental Protection  |                       |  |  |                       |                                       |   |
| EPA   |                       |  |  | Other                 |                                       |   |
|   | Washing               | ton, DC 20460  |  | Other                 |                                       |   |
|   |                       | Application  | for Pestici                            | de -Section           | <u> </u>                              |   |
| 1. Company/Product Number   |                       |  | 2. EPA Produc                          | ct Manager            | 3. Proposed C                         | classification                            |
| 1381-170  |                       |  | John Hebert                            |                       | None                                  | ☐ Resincted                               |
| 4. Company/Draduct (Nama)   |                       |  | PM#                                    |                       | 1                                     | ** •                                      |
| Company/Product (Name)     Actellic 5E Insecticide  | _                     |  | 7                                      |                       | ••••                                  | • ••                                      |
| 5. Name and Address of Applica  | ant (Include ZIP Cod  | e)   |  |                       | rdance with FIFR<br>composition and l | Section 3(c)(3)(b)(i), my                 |
| Winfield Solutions LLC, c/o Al 3094 Country Club Rd.  | ice Walker            |  | EPA Reg. No.:                          |                       | ***                                   |   |
| Senatobia, MS 38668   |                       |  |  |                       |                                       |   |
| ☐ Check if this is a new add  | dress                 |  | Product Name                           | •                     |                                       | • • • • •                                 |
|   |                       | Se   | ection I I                             |                       |                                       | • • • • •                                 |
| ☐ Amendment - Explain Belo  | w                     |  | ☐ Final pr                             | inted labels in res   | sponse to ANO                         | TEICATION                                 |
| ☐ Resubmission in response  | to Agency letter date | ed   | □ "Me Too                              | " Application         | ות                                    | EC 2 9 2011                               |
| ■ Notification - Explain below  | ,                     |  | ☐ Other -                              | explain below         | , U                                   | LC Z J ZUII                               |
|   |                       | C-atian Land C   |  | Label                 |                                       | •   |
| Explanation: Use additional page(s) if necessary. (For Section I and Section II).  Notification to add water soluble packaging to the existing registration. I certify that this notification is consistent with the provisions of PR Notice 94-8 and EPA regulations at 40 CFR §§ 152.46. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA. |                       |  |  |                       | nt of Formula for this product.       |   |
|   |                       | Se   | ection 1                               |                       |                                       |   |
| Material This Product Will I  | Be Packaged In:       |  |  |                       |                                       |   |
| Child-Resistant Packaging   | Unit Packaging        |  | Water Soluble                          | Packaging             | 2. Type of Cor                        | ntainer                                   |
| ☐ Yes*<br>ૐ No  | □ Yes<br>☀ No         |  | . ¥ Yes<br>□ No                        |                       | ☐ Metal<br>☐ Plastic                  |   |
| *Certification must be  | If "Yes,"             | No. Per  | If Yes,"                               | No.Per                | ☐ Glass ☐ Paper                       |   |
| submitted.  | Ünit Package Wt.      | Container  | Package Wt.<br>3 fl. oz.               | Container<br>24       | Other (S packaging                    | pecify) water soluble                     |
| Location of Net Contents Info   | ormation              |  | 4. Size(s) of F                        | Retail Container      | 5. Location of                        | Label Directions                          |
| ★ Label □ Containe  | r                     |  | 72 fl. oz.                             |                       |                                       | eling accompanying product                |
|   |                       |  |  |                       |                                       | sing accompanying product                 |
| 6. Manner In Which Label Is Aft   | ixed to Product       | <ul><li>□ Lithograph</li><li>□ Paper Glued</li><li>□ Stenciled</li></ul> |  | her ( self-adhesiv    | e DOOKIET)                            | • ••                                      |
|   |                       | Se   | ection I V                             |                       | ••••                                  | •   |
| Contact Point (Complete item  | as dimetly below for  | <u> </u>   |  | acted if necessar     | ny to nanosamble                      | application I                             |
|   |                       | dentification of fridit  | 1                                      | - I Hecessal          | ***                                   | **  |
| Name<br>Alice Walker  |                       |  | Title<br>Registration S                | pecialist             | Telephone No.<br>662-562-5995         | . (Include Area Code)                     |
| Certification I certify that the statements I have made on this form and all attachments t I acknowledge that any knowingly false or misleading statement may be put under applicable law.  |                       |  | s thereto are true<br>punishable by fi | e, accurate and conne | omplete.<br>ent or both               | 6. Date Application<br>Received (Stamped) |
|   |                       |  | 2 724-                                 |                       |                                       | ( ( ( ( ) ( ) ( ) ( ) ( )                 |
| 2. Signature  |                       |  | 3. Title<br>Registration S             | pecialist             |                                       |   |
| anie  | uk                    |  |  |                       |                                       |   |
| Typed Name     Alice Walker   | -                     |  | 5. Date<br>November 28,                | 2011                  |                                       |   |
|   | ·                     | ditione are sheets   | !                                      | Mile EDA Eile (       |                                       | Vallous Analisant Cons                    |

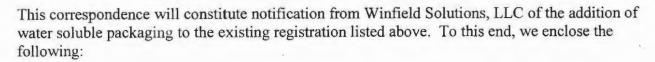


#### CERTIFIED MAIL

November 28, 2011

Document Processing Desk (NOTIF) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, DC 20460

Notification of Water Soluble Packaging per PRN 94-8 Re: Actellic 5E Insecticide, EPA Reg. No. 1381-170



Application for Registration (EPA Form 8570-1),

Alternate CSF listing tradename and supplier of the WSP film and ink,

MSDSs for the WSP film and ink, and

Two copies of the label containing use directions for WSP, one highlighted to show revisions.

I certify that this notification is consistent with the provisions of PR Notice 94-8 and EPA regulations at 40 CFR §§ 152.46. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Thank you for adding this notification to the registration record for this product.

Sincerely,

wacke

Alice Walker, Ph.D. Registration Specialist

Enclosures

winfieldsolutionsllc.com mail: P.O. Box 64589 | MS 5705 | St. Paul, MN 55164-0589 ship:1080 County Road F West | Shoreview, MN 55126-2910 p: 800-851-8810 Winfield Solutions, LLC | A Land O'Lakes Company

Highlighted



NOTIFICATION DEC 2 9 2011

# ACTELLIC® 5E INSECTICIDE LOW ODOR FORMULATION

FOR CONTROL OF INSECTS ON STORED CORN (FIELD AND POP) AND GRAIN SORGHUM (Bulk or Bagged Field Corn, Popcorn, and Grain Sorghum Seed)

#### **ACTIVE INGREDIENT:**

| Pirimiphos-methyl  |                  |
|--|------------------|
| 0-(2-(diethylamino)-6-methyl-4-pyrimidinyl)0,0-dimethyl phos | sphorothioate57% |
| OTHER INGREDIENTS:   | <u>43%</u>       |
|  | TOTAL100%        |

Actellic 5E Insecticide contains 5 pounds active ingredient per gallon.

# DANGER/PELIGRO

Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted in detalle. (If you do not understand the label, find someone to explain it to you in detail.)

#### **FIRST AID**

| If in eyes    | Hold eye open and rinse slowly and gently with water for 15-20 minutes.                    |
|---------------|--|
|               | • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. |
|               | Call a poison control center or doctor for treatment advice.                               |
| If swallowed  | Call a poison control center or doctor immediately for treatment advice.                   |
|               | • Have person sip a glass of water if able to swallow.                                     |
|               | Do not induce vomiting unless told to do so by the poison control center or doctor.        |
|               | Do not give anything by mouth to an unconscious person.                                    |
| If on skin or | Take off contaminated clothing.  |
| clothing      | Rinse skin immediately with plenty of water for 15-20 minutes.                             |
|               | Call a poison control center or doctor for treatment advice.                               |
| If inhaled    | Move person to fresh air.  |
|               | • If person is not breathing, call 911 or an ambulance, then give artificial respiration,  |
|               | preferably mouth-to-mouth, if possible.  |
|               | Call a poison control center or doctor for further treatment advice.                       |

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. HOTLINE NUMBER: In case of emergency call toll free 1-877-424-7452. NOTE TO PHYSICIAN: This product contains an organophosphate. Pirimiphos-methyl is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate significance of exposure (baseline data are useful). Give 2 mg. of atropine intramuscularly or subcutaneously and repeat if symptoms of poisoning reappear. Pralidoxime (2 PAM) may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe poisoning, use antidote immediately after establishing an open airway and respiration. Actellic 5E Insecticide contains petroleum distillate. Vomiting may cause aspiration pneumonia.

See side panel for additional precautionary statements.

| EPA Reg. No. 1381-170   | EPA Est No<br>Lot No |
|-------------------------|----------------------|
| Distributed By:         |                      |
| Winfield Solutions, LLC | Net Contents         |
| P.O. Box 64589          |                      |
| St. Paul, MN 55164-0589 | 1/1128/1             |

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Wear protective eyewear (goggles or face shield) when handling. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

#### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are barrier laminate or viton. If you want more options, follow the instructions for category G on an EPA chemical-resistant category selection chart.

Mixers, loaders, and other handlers supporting admixture seed and/or grain treatments must wear.
Long sleeve shirt and long pants
Shoes plus socks
Chemical-resistant gloves
Protective eyewear
See engineering controls for additional requirements.

All other mixers, loaders, applicators and other handlers must wear:
Coveralls over long sleeve shirt and long pants
Chemical-resistant footwear plus socks
Chemical-resistant gloves
Protective eyewear
In addition, mixers and loaders must wear:
Chemical-resistant apron

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other abscrbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

#### **User Safety Recommendations**

#### Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticides get inside. Then wash thoroughly and put on clean ciothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### **ENGINEERING CONTROLS**

#### For products marketed in containers greater than 64 fluid oz. in size:

For all seed and/or grain treatments, handlers must use a closed system/loading system designed by the manufacturer to enclose the pesticide in a manner that prevents it from contacting handlers. This product is formulated in a container designed for closed mixing and loading. In addition:

- handlers must wear the PPE specified for handlers supporting admixture seed and/or grain treatment.
- handlers must have available to them in case of accident or spill: coveralls and chemical resistant footwear.
- handlers must wear protective eyewear.

#### For products marketed in water soluble packets:

Water soluble packets, when used correctly, qualify as a closed mixing/loading system under the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(4)]. Mixers and loaders using water soluble packets must wear: the personal protective equipment required above for Mixers/Loaders, and must be provided, must have immediately available and must use in an emergency (such as a broken package, spill or equipment breakdown) the following PPE: coveralls and chemical-resistant footwear.

#### ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of waste.

#### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

#### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. **STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents. Keep container closed when not in use.

PESTICIDE DISPOSAL: Pesticides are acutely toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to lacel instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Use label language appropriate for container size and type.

Nonrefillable containers. Do not reuse or refill this container. Clean container promptly after emptying. Nonrefillable container equal to or less than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Nonrefillable container greater than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure or accident, call CHEMTREC 1-800-424-9300.

#### APPLICATION DIRECTIONS

Do not make more than one application per crop. Only treat corn or grain sorghum which has not previously been treated with any pirimiphos-methyl containing product. Treatment of seed is only allowed off-farm (for example, in a facility where seed is bagged).

#### ADMIXTURE OR TOP DRESSING

The best practice to protect stored corn (field and pop) and grain sorghum from insect infestation is to use an admixture treatment of Actellic 5E Insecticide. However, as it may not always be possible to move grain, a surface treatment of Actellic 5E Insecticide will help prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn (field and pop) or grain sorghum. But within your current stored grain management system, it will help protect the surface from invasion by insects.

#### FOR PRODUCT PACKAGED IN WATER SOLUBLE PACKAGING (WSP)

The enclosed packets containing Actellic 5E Insecticide are water soluble. Do not allow packets to become wet prior to adding to the spray tank. Do not handle with wet hands or gloves. Do not break open packets. Reseal outer container to protect remaining packets.

To prepare the spray mixture, drop the required number of unopened packets as determined under "Admixture Treatment" or "Top Dressing Treatment," into the spray tank while filling the water to the desired level. Operate the agitator while mixing. Depending on the water temperature and the degree of agitation, the packets should be completely dissolved within a few minutes from the time they were added to the water.

#### ADMIXTURE TREATMENT

For products marketed in containers of 64 fl. oz. or less, use for treatment is prohibited.

Apply spray solution uniformly with suitable application equipment as grain enters storage or export containers. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of Actellic 5E Insecticide in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low pressure spray in order to minimize drift. Shield nozzle if necessary. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates. If using water soluble packets, apply Actellic 5E in water only.

|                                    | Fluid Ounces/WSP Packets                               | ppm Concentration |
|------------------------------------|--|-------------------|
| Shelled Corn (field corn, popcorn) | 9.2-12.3 / 3 or 4 packets                              | 6-8               |
| Grain Sorghum                      | 9.2-12.3 / 3 or 4 packets                              | 6-8               |
| Grain                              | No. of Bushels Approximately Equal to 30 Tons of Grain |                   |
| Shelled Corn (field corn, popcorn) | 1,071  |                   |
| Grain Sorghum                      | 1,071  |                   |

#### TOP DRESSING TREATMENT

To each 1,000 square feet of grain surface, apply 3 fluid ounces (1 WSP packet) of Actellic 5E Insecticide diluted in 2 gallons of water. The treatment should be split as follows: Spray half of the mixture evenly over the surface and rake into the grain to a depth of 4 inches. Apply the remaining half of the mixture (1 gallon) to the raked surface.

Before making a surface application of Actellic 5E Insecticide, it will be necessary to remove any webbing and break up crusting that exists on the grain surface. If high numbers of Indian Meal Moth worms (2-3 per sq ft) exist, it will be best to remove the webbing, fumigate, and then apply Actellic 5E Insecticide as a surface application. Mix the following amount of Actellic 5E Insecticide with 2 gallons of water for a total mixture to treat 1,000 sq ft of grain surface:

|  | Fluid Ounces/WSP Packets | ppm Concentration |  |
|--|--------------------------|-------------------|--|
| Shelled Corn (field corn, popcorn) and Sorghum | 3.0 / 1 packet           | 8                 |  |

INSECTS CONTROLLED WITH ACTELLIC 5E INSECTICIDE

| CC                    | DLEOPTERA             | LEPIDOPTERA          |
|-----------------------|-----------------------|----------------------|
| Cigarette beetle      | Maize weevil          | Almond moth          |
| Confused flour beetle | Merchant grain beetle | Angoumois grain moth |
| Corn sap beetle       | Red flour beetle      | Indian meal moth     |
| Flat grain beetle     | Rice weevil           |                      |
| Granary weevil        | Sawtoothed beetle     |                      |
| Hairy fungus beetle   |                       |                      |

- Grains treated with Actellic 5E Insecticide at rates indicated on this label may be used immediately for any food or feed purpose.
- Do not make more than one application per crop. Only use on treated corn (field and pop) or sorghum which has
  not previously been treated with any pirimiphos-methyl containing product.
- Calibrate spray equipment and periodically check in order to ensure proper spray rates.
- Do not store diluted Actellic 5E Insecticide in spray tank more than 48 hours before use.
- Avoid severely dusty application sites.
- Seed applications of Actellic 5E Insecticide are restricted to bulk or bagged seed corn (field and pop) and sorghum grain.
- Only to be used as grain enters storage or export containers. Not for use to control soil insects.
- Do not enter treated areas or have contact with treated grain or seed until sprays have dried.

#### WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHEL EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

#### LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL

SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

Actellic® is a registered trademark of a Syngenta Group Company. AgriSolutions™ is a trademark of Winfield Solutions, LLC.



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY AND POLITITION PREVENHON

December 21, 2011

Alice Walker, Ph.D. Registration Specialist Winfield Solutions, LLC P. O. Box 64589 St. Paul, MN 55164-0589

Subject: Minor Formulation Amendment

Dear Dr. Walker:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 11/28/2011 for EPA Registration 1381-170. The Registration Division (RD) has conducted a review of the Confidential Statement of Formula (CSF) submitted with this request for its applicability under PRN 98-10 and finds that the change(s) requested falls within the scope of PRN 98-10. Therefore, Alternate CSF dated 11/28/2011 is acceptable. A copy of the CSF has been added to the registration file for the subject product.

If you have any questions, please contact me via telephone at 703-308-8353 or e-mail (debesai.alganesh@epa.gov).

Sincerely,

Alganesh Debesai

Inert Ingredient Assessment Branch (IIAB)

Alganesh Debesou

Registration Division (7505P) Office of Pesticide Programs



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY AND POLET HON PREVENTION

December 21, 2011

Alice Walker, Ph.D. Registration Specialist Winfield Solutions, LLC P. O. Box 64589 St. Paul, MN 55164-0589

Subject: Minor Formulation Amendment

Dear Dr. Walker:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 11/28/2011 for EPA Registration 1381-170. The Registration Division (RD) has conducted a review of the Confidential Statement of Formula (CSF) submitted with this request for its applicability under PRN 98-10 and finds that the change(s) requested falls within the scope of PRN 98-10. Therefore, Alternate CSF dated 11/28/2011 is acceptable. A copy of the CSF has been added to the registration file for the subject product.

If you have any questions, please contact me via telephone at 703-308-8353 or e-mail (debesai.alganesh@epa.gov).

Sincerely,

Alganesh Debesai

Inert Ingredient Assessment Branch (IIAB)

lganesh Debesou

Registration Division (7505P)

Office of Pesticide Programs

| Please read instructions on reve   | erse before cc <u>ting</u> form.   | Form Approved.  | 3 No. 2070-006                              | O. Approval expires 2-28-95 |  |
|--|--|---|---|-----------------------------|--|
|  | United States  | □ Registrat   | ion   | OPP Identifier Number       |  |
| EDA  | Environmental Protection   |   |   |                             |  |
| EPA  |  | •   |   |                             |  |
|  | Washington, DC 20460   | * Other   |   |                             |  |
|  | Application  | for Pesticide -Section  | <br>  |                             |  |
| Company/Product Number   |  | EPA Product Manager John Hebert   | 3. Proposed C                               | lassification               |  |
| 1381-170   |  | John Hebert   | <b>♣ None</b>                               | ☐ Restricted                |  |
| Company/Product (Name)     Actellic 5E Insecticide   |  | PM#<br>7  |   |                             |  |
| 5. Name and Address of Applica   | ant (Include ZIP Code)   | 6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: |   |                             |  |
| Winfield Solutions LLC, c/o Al 3094 Country Club Rd.   | ice Walker   | EPA Reg. No.:   | •   |                             |  |
| Senatobia, MS 38668  |  |   |   |                             |  |
| ☐ Check if this is a new add   | dress  | Product Name:   |   |                             |  |
|  | Se   | ection I I  |   |                             |  |
| ☐ Amendment - Explain Belo   | w  | ☐ Final printed labels in res   | ponse to Agency                             | letter dated                |  |
| ☐ Resubmission in response   | to Agency letter dated   | ☐ "Me Too" Application  |   |                             |  |
| ▼ Notification - Explain below   |  | ☐ Other - explain below   |   |                             |  |
|  | <del> </del>   | acE   | ······································      |                             |  |
| Notification to add water soluble<br>and EPA regulations at 40 CFR<br>I further understand that if the ar                                    | Explanation: Use additional page(s) if necessary. (For Section I and Section II).  Notification to add water soluble packaging to the existing registration. I certify that this notification is consistent with the provisions of PR Notice 94-8 and EPA regulations at 40 CFR §§ 152.46. No other changes have been made to the labeling or the Confidential Statement of Formula for this product.  I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA. |   |   |                             |  |
|  | Se   | ection I I I  |   |                             |  |
| Material This Product Will E   | Be Packaged In:  |   |   |                             |  |
| Child-Resistant Packaging ☐ Yes*   | Unit Packaging<br>□ Yes  | Water Soluble Packaging  ★ Yes  | 2. Type of Cor  ☐ Metal                     | tainer                      |  |
| ₩ No   | ₩ No   | □ No  | □ Plastic                                   |                             |  |
| *Certification must be   | lf "Yes," No. Per<br>Unit Package Wt. Container  | If Yes," No.Per   | ☐ Glass ☐ Paper                             | pecify) water soluble       |  |
| Submitted.   | Unit Package Wt. Container   | Package Wt. Container<br>3 fl. oz. 24   | ★ Other (Speckaging                         | pecify) water soluble       |  |
| Location of Net Contents Info  | rmation  | Size(s) of Retail Container     S. Location of Label Directions   |   | Label Directions            |  |
| <br>   | r  | 72 fl. oz.  |   |                             |  |
| 6. Manner In Which Label Is Affixed To Product ☐ Lithograph ☐ Other (self-adhesive booklet) ☐ Paper Glued ☐ Stenciled                        |  |   | g   |                             |  |
| Section I V  |  |   |   |                             |  |
| 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process ins application.) |  |   |   |                             |  |
| Name<br>Alice Walker   |  | Title<br>Registration Specialist  | Telephone No.<br>662-562-5995               | (Include Area Code)         |  |
|  | s thereto are true, accurate and co<br>punishable by fine or imprisonme  |   | Date Application     Received     (Stamped) |                             |  |
| 2. Signature   |  | 3. Title  |   |                             |  |
| anie   | uck  | Registration Specialist   |   |                             |  |
| Typed Name     Alice Walker  |  | 5. Date<br>November 28, 2011  |   |                             |  |



# HE WAY

#### CERTIFIED MAIL

November 28, 2011

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, DC 20460

Re: Notification of Water Soluble Packaging per PRN 94-8 Actellic 5E Insecticide, EPA Reg. No. 1381-170

This correspondence will constitute notification from Winfield Solutions, LLC of the addition of water soluble packaging to the existing registration listed above. To this end, we enclose the following:

- Application for Registration (EPA Form 8570-1),
- · Alternate CSF listing tradename and supplier of the WSP film and ink,
- · MSDSs for the WSP film and ink, and
- Two copies of the label containing use directions for WSP, one highlighted to show revisions.

I certify that this notification is consistent with the provisions of PR Notice 94-8 and EPA regulations at 40 CFR §§ 152.46. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Thank you for adding this notification to the registration record for this product.

Sincerely,

Alice Walker, Ph.D.

Registration Specialist

Enclosures

hin wacken



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Alice Walker Winfield Solutions LLC 3094 Country Club Rd. Senatobia, MS 38668

AUG 0 2 6-11

Subject: Notification (PRN) 98-10 EPA Registration # 1381-170 Submission Date: July 13, 2011

#### Dear Ms Walker:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated <u>July 13, 2011</u> for the product <u>EPA Reg No. 1381-170</u>. The Registration Division (RD) has conducted a review and finds that the action(s) requested does not fall within the scope of PRN 98-10. A summary of our findings include:

1. Water soluble packaging significantly changes the formulation of the product and the directions for use and cannot be submitted as a notification.

The RD has determined that this action is <u>denied</u> and our records have been updated accordingly. No further processing of this action will occur until a resubmission is made. The resubmission needs to be submitted as an amendment. If you have any questions regarding this submission, please contact Jessica Rogala at (703) 347-0263 or via email at <u>rogala.jessica@epa.gov</u>.

Sincerely,

Jess*i*ca Rogala (

Environmental Protection Specialist Insecticide-Rodenticide Branch Registration Division (7505P)

# CHEMICAL AME/PESTICIDE CHEMICA CODE (PCC) REQUEST FORM CR# [1-309]

| CK#   | 1 ,                     |  |  |  |  |
|---|-------------------------|--|--|--|--|
| REQUESTOR NAME: JESSICA ROGALA  | Request date: § 3 1     |  |  |  |  |
| Tel: 703 347 07 6 3 ORG.: CUBE: 72  | MAIL CODE:              |  |  |  |  |
| CSF ATTACHED:  DYES If CSF is attached complete Item A and the chemical na  [] NO If CSF is not attached complete Item A through C.   | ame in item C.          |  |  |  |  |
| A. INFORMATION REQUIRED:  © Check Applicable Category  Provide PCC and Tolerance Exemption Status For Food-Use Inert ingredient (s).  Provide PCC for Non-Food Use inert Ingredient (s).  Provide PCC for Active Ingredient (s).  Provide PCC for Dye.  Determine if Fragrance is Acceptable for Use In Formulation.  Other (Describe): |                         |  |  |  |  |
| B. PESTICIDE PRODUCT INFORMATION:   |                         |  |  |  |  |
| EPA Reg. No/File Symbol: 1351-170 Product Name:   | Actellic SE Insecticide |  |  |  |  |
| Registrant: Whield Solutions Food-Use Pestici   | de: [] No               |  |  |  |  |
| Percent in Formulation (for fragrance or dye):  |                         |  |  |  |  |
| C. INGREDIENT INFORMATION:  |                         |  |  |  |  |
| Ingredient No.1   | INFORMATION REPORTED:   |  |  |  |  |
| Chem. Name:   | PCC:                    |  |  |  |  |
| Trade Name:   | TOL. STATUS:            |  |  |  |  |
| CAS Reg. No.:   | OTHER INF.:             |  |  |  |  |
| Ingredient No.2:  |                         |  |  |  |  |
| Chem. Name:   | PCC:                    |  |  |  |  |
| Trade Name:   | TOL. STATUS:            |  |  |  |  |
| CAS Reg. No.:   | OTHER INF.:             |  |  |  |  |
| Ingredient No.3:  |                         |  |  |  |  |
| Chem. Name:   | PCC:                    |  |  |  |  |
| Trade Name:   | TOL. STATUS:            |  |  |  |  |
| CAS Reg. No.:   | OTHER INF.:             |  |  |  |  |

Completed By:
Date Completed:

8 [4]11

#### **INERT CLEARANCE STATUS FORM**

| Reviewer Name: Sandra Rock |         |              | Request date: 8/4/2011 |
|----------------------------|---------|--------------|------------------------|
| Tel: 703-308-6164          | RD/IIAB | CUBE: S-7941 | MAIL CODE: 7505P       |

| . COMMENTS:                                     |                     |     |        |            |           |                   |               |
|---|---------------------|-----|--------|------------|-----------|-------------------|---------------|
|   |                     |     |        |            |           |                   |               |
|   |                     |     |        |            |           |                   |               |
|   |                     |     |        |            |           |                   |               |
| PESTICIDE PRODUCT INFORMATION:                  |                     |     |        |            |           |                   |               |
| Receipt Number:                                 | Date on CSF: 7/8/11 |     | Food-U | Jse Pestic | cide: [x] | Yes 💉             | <del>0-</del> |
| EPA Reg. No/File Symbol: 1381-170               | Formulation: alt.   |     |        |            |           | `                 |               |
| Product Name: Actellic 5E Insecticide           |                     |     |        |            |           | _                 |               |
| INGREDIENT INFORMATION:                         |                     |     |        |            |           |                   |               |
|   |                     |     | Tole   | rance Ex   | emptio    | n(s) <sup>1</sup> |               |
| gredient No.1                                   |                     | 910 | 920    | 930        | 940       | 950               | 960           |
| Chem. Name:                                     |                     |     |        |            |           |                   |               |
| Trade Name:                                     |                     |     |        |            |           |                   |               |
| CAS Reg. No.:                                   |                     |     |        |            |           |                   |               |
| Comments: This product is not approved for post | harvest use.        |     | l      |            |           | 1                 | 1             |
| ngredient No.2                                  |                     |     |        |            |           |                   |               |
| Chem. Name:                                     |                     |     |        |            |           |                   |               |
| Trade Name:                                     |                     |     |        |            |           |                   |               |
| CAS Reg. No.:                                   |                     | ,   |        |            |           |                   |               |
| Comments: This product is not approved for post | harvest use.        |     |        |            |           |                   |               |

Reviewer Name: Sandra Rock Review Date: 8/4/2011

 $^{1}$ Language from the Code of Federal Regulations (40 CFR 180, subpart D):

<sup>40 &</sup>lt;u>CFR</u> 180.910: Inert ingredients used pre- and post-harvest; 40 <u>CFR</u> 180.920: Inert ingredients used pre- and post-harvest; 40 <u>CFR</u> 180.930: Inert ingredients applied to animals; 40 <u>CFR</u> 180.940: Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations; 40 <u>CFR</u> 180.950: Tolerance exemptions for minimal risk active and inert ingredients; and 40 <u>CFR</u> 180.960: Polymers.



#### **CERTIFIED MAIL**

July 8, 2011

Document Processing Desk (Notif) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, DC 20460

Re: Notification of Water Soluble Packaging per PRN 94-8 Actellic 5E Insecticide, EPA Reg. No. 1381-170

This correspondence will constitute notification from Winfield Solutions, LLC of the addition of water soluble packaging to the existing registration listed above. To this end, we enclose the following:

- Application for Registration (EPA Form 8570-1),
- Alternate CSF listing tradename and supplier of the WSP film and ink,
- MSDSs for the WSP film and ink, and
- Two copies of the label containing use directions for WSP, one highlighted to show revisions.

I certify that this notification is consistent with the provisions of PR Notice 94-8 and EPA regulations at 40 CFR §§ 152.46. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Thank you for adding this notification to the registration record for this product.

Sincerely,

Alice Walker, Ph.D. Registration Specialist

**Enclosures** 

| EPA  1. Company/Product Number 1381-170   | United States Environmental Protectio Washington, DC 20460                                   | <ul> <li>The Posticide Section</li> <li>2. EPA Product Manager</li> </ul>                                      | tion<br>ent   | OPP Identifier Number  Classification                         |  |
|---|--|--|---|---|--|
| Company/Product (Name)     Actellic 5E Insecticide  |  | PM#<br>7   |   |   |  |
| 5. Name and Address of Applications Winfield Solutions LLC, c/o Ali 3094 Country Club Rd. Senatobia, MS 38668 | ce Walker  | 6. Expedited Review. In accordance product is similar or identical in a EPA Reg. No.:  Product Name:           |   |   |  |
|   |  | Section I I  |   |   |  |
| Notification to add water soluble<br>and EPA regulations at 40 CFR<br>I further understand that if the an     |  | . I certify that this notification is conseen made to the labeling or the Conserquirements of 40 CFR §§ 152.46 | sistent with the p  | provisions of PR Notice 94-8 ent of Formula for this product. |  |
|   | \$   | Section III  |   |   |  |
| Material This Product Will E     Child-Resistant Packaging  | The Packaged In:  Unit Packaging  ☐ Yes  ※ No  If "Yes," Unit Package Wt. Container          | Water Soluble Packaging  | 2. Type of Co  Metal Plastic Glass Paper Other (Spackaging                    | ontainer<br>Specify) <u>water soluble</u>                     |  |
| 3. Location of Net Contents Info  |  | 4. Size(s) of Retail Container 72 fl. oz.  | 5. Location of Label Directions  * On Label  On Labeling accompanying product |   |  |
| 6. Manner In Which Label Is Aff   | xed To Product Lithograph Paper Glu Stenciled  |  | e booklet)  |   |  |
|   |  | Section I V  |   |   |  |
| Contact Point (Complete item  | s directly below for identification of in  | dividual to be contacted, if necessar  | y, to process thi   | s application.)   |  |
| Name<br>Alice Walker  |  | Title<br>Registration Specialist   | Telephone No. (Include Area Code)<br>662-562-5995                             |   |  |
|   | Certification<br>e made on this form and all attachme<br>y false or misleading statement may |  |   | Date Application     Received     (Stamped)                   |  |
| 2. Signature  | icken  | Title     Registration Specialist  |   |   |  |
| 4. Typed Name Alice Walker  | Provious editions are obse   | 5. Date July 8, 2011   |   | Volloy Applicant Conv   |  |

\*Page 23-34 Inert ingredient information may be entitled to confidential treatment\*

Highlighted



# ACTELLIC® 5E INSECTICIDE LOW ODOR FORMULATION

FOR CONTROL OF INSECTS ON STORED CORN (FIELD AND POP) AND GRAIN SORGHUM (Bulk or Bagged Field Corn, Popcorn, and Grain Sorghum Seed)

#### **ACTIVE INGREDIENT:**

Pirimiphos-methyl

TOTAL ......100%

Actellic 5E Insecticide contains 5 pounds active ingredient per gallo

# KEEP OUT OF REACH OF CHILDREN DANGER/PELIGRO

Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted in detalle (If you do not understand the label, find someone to explain it to you in detail.)

**FIRST AID** 

| If in eyes    | Hold eye open and rinse slowly and gently with water for 15-20 minute                      |
|---------------|--|
|               | • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. |
|               | Call a poison control center or doctor for treatment advice.                               |
| If swallowed  | Call a poison control center or doctor immediately for treatment advice.                   |
|               | Have person sip a glass of water if able to swallow.                                       |
|               | • Do not induce vomiting unless told to do so by the poison control center or doctor.      |
|               | Do not give anything by mouth to an unconscious person.                                    |
| If on skin or | Take off contaminated clothing.  |
| clothing      | • Rinse skin immediately with plenty of water for 15-20 minutes.                           |
|               | Call a poison control center or doctor for treatment advice.                               |
| If inhaled    | Move person to fresh air.  |
|               | • If person is not breathing, call 911 or an ambulance, then give artificial respiration,  |
|               | preferably mouth-to-mouth, if possible.  |
|               | Call a poison control center or doctor for further treatment advice.                       |
| TT 41 1       |  |

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. HOTLINE NUMBER: In case of emergency call toll free 1-877-424-7452. NOTE TO PHYSICIAN: This product contains an organophosphate. Pirimiphos-methyl is a cholinesterine inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate significance of exposure (baseline data are useful). Give 2 mg. of atropine intramuscularly or subcutaneously and repeat if symptoms of poisoning reappear. Pralidoxime (2 PAM) may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe poisoning, use antidote immediately after establishing an oper airway and respiration. Actellic 5E Insecticide contains petroleum distillate. Vomiting may cause aspiration pneumonia.

See side panel for additional precautionary statements.

| EPA Reg. No. 1381-170   | EPA Est No<br>Lot No. |
|-------------------------|-----------------------|
| Distributed By:         | 201101                |
| Winfield Solutions, LLC | Net Contents          |
| P.O. Box 64589          |                       |
| St. Paul, MN 55164-0589 | 1/0708/1              |

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Wear protective eyewear (goggles or face shield) when handling. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

#### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are barrier laminate or viton. If you want more options, follow the instructions for category G on an EPA chemical-resistant category selection chart.

Mixers, loaders, and other handlers supporting admixture seed and/or grain treatments must wear:

Long sleeve shirt and long pants

Shoes plus socks

Chemical-resistant gloves

Protective eyewear

See engineering controls for additional requirements.

All other mixers, loaders, applicators and other handlers must wear:

Coveralls over long sleeve shirt and long pants

Chemical-resistant footwear plus socks

Chemical-resistant gloves

Protective evewear

In addition, mixers and loaders must wear:

Chemical-resistant apron

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables xist use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

#### **User Safety Recommendations**

#### Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticides get inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### **ENGINEERING CONTROLS**

#### For products marketed in containers greater than 64 fluid oz. in size:

For all seed and/or grain treatments, handlers must use a closed system/loading system designed by the manufacturer to enclose the pesticide in a manner that prevents it from contacting handlers. This product is formulated in a container designed for closed mixing and loading. In addition:

- handlers must wear the PPE specified for handlers supporting admixture seed and/or grain treatment.
- handlers must have available to them in case of accident or spill: coveralls and chemical resistant footwear.
- handlers must wear protective eyewear.

#### For products marketed in water soluble packets:

Water soluble packets, when used correctly, qualify as a closed mixing/loading system under the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(4)]. Mixers and loaders using water soluble packets must wear: the personal protective equipment required above for Mixers/Loaders, and must be provided, must have immediately available and must use in an emergency (such as a broken package, spill or equipment breakdown) the following PPE: coveralls and chemical-resistant footwear.

#### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of waste.

#### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

#### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. **STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents. Keep container closed when not in use.

**PESTICIDE DISPOSAL:** Pesticides are acutely toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Use label language appropriate for container size and type.

Nonrefillable containers. Do not reuse or refill this container. Clean container promptly after emptying.

Nonrefillable container equal to or less than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/2 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Nonrefillable container greater than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure or accident, call CHEMTREC 1-800-424-9300.

#### APPLICATION DIRECTIONS

Do not make more than one application per crop. Only treat corn or grain sorghum which has not previously been treated with any pirimiphos-methyl containing product. Treatment of seed is only allowed off-farm (for example, in a facility where seed is bagged).

#### ADMIXTURE OR TOP DRESSING

The best practice to protect stored corn (field and pop) and grain sorghum from insect infestation is to use an admixture treatment of Actellic 5E Insecticide. However, as it may not always be possible to move grain, a surface treatment of Actellic 5E Insecticide will help prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn (field and pop) or grain sorghum. But within your current stored grain management system, it will help protect the surface from invasion by insects.

#### FOR PRODUCT PACKAGED IN WATER SOLUBLE PACKAGING (WSP)

The enclosed packets containing Actellic 5E Insecticide are water soluble. Do not allow packets to become wet prior to adding to the spray tank. Do not handle with wet hands or gloves. Do not break open packets. Reseal outer container to protect remaining packets.

To prepare the spray mixture, drop the required number of unopened packets as determined under "Admixture Treatment" or "Top Dressing Treatment," into the spray tank while filling the water to the desired level. Operate the agitator while mixing. Depending on the water temperature and the degree of agitation, the packets should be completely dissolved within a few minutes from the time they were added to the water.

#### ADMIXTURE TREATMENT

For products marketed in containers of 64 fl. oz. or less, use for treatment is prohibited.

Apply spray solution uniformly with suitable application equipment as grain enters storage or export containers. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of Actellic 5E Insecticide in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low pressure spray in order to minimize drift. Shield nozzle if necessary. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates. If using water soluble packets, apply Actellic 5E in water only.

|                                    | Fluid Ounces/WSP Packets                               | ppm Concentration |
|------------------------------------|--|-------------------|
| Shelled Corn (field corn, popcorn) | 9.2-12.3 / 3 or 4 packets                              | 6-8               |
| Grain Sorghum                      | 9.2-12.3 / 3 or 4 packets                              | 6-8               |
| Grain                              | No. of Bushels Approximately Equal to 30 Tons of Grain |                   |
| Shelled Corn (field corn, popcorn) | 1,071  |                   |
| Grain Sorghum                      | 1,071  |                   |

#### TOP DRESSING TREATMENT

To each 1,000 square feet of grain surface, apply 3 fluid ounces (1 WSP packet) of Actellic 5E Insecticide diluted in 2 gallons of water. The treatment should be split as follows: Spray half of the mixture evenly over the surface and rake into the grain to a depth of 4 inches. Apply the remaining half of the mixture (1 gallon) to the raked surface.

Before making a surface application of Actellic 5E Insecticide, it will be necessary to remove any webing and break up crusting that exists on the grain surface. If high numbers of Indian Meal Moth worms (2-3 per sq ft) exist, it will be best to remove the webbing, fumigate, and then apply Actellic 5E Insecticide as a surface application. Mix the following amount of Actellic 5E Insecticide with 2 gallons of water for a total mixture to treat 1,000 sq ft of grain surface:

|                                    | Fluid Ounces/WSP Rackets | ppm Concentration |
|------------------------------------|--------------------------|-------------------|
| Shelled Corn (field corn, popcorn) | 3.0 / <b>Lypacket</b>    | 8                 |
| and Sorghum                        |                          |                   |

INSECTS CONTROLLED WITH ACTELLIC 5E INSECTICIDE

|                       | COLEOPTERA            | LEPIDOPTERA          |  |
|-----------------------|-----------------------|----------------------|--|
| Cigarette beetle      | Maize weevil          | Almond moth          |  |
| Confused flour beetle | Merchant grain beetle | Angoumois grain moth |  |
| Com sap beetle        | Red flour beetle      | Indian meal moth     |  |
| Flat grain beetle     | Rice weevil           |                      |  |
| Granary weevil        | Sawtoothed beetle     |                      |  |
| Hairy fungus beetle   |                       |                      |  |

- Grains treated with Actellic 5E Insecticide at rates indicated on this label may be used immediately for any food or feed purpose.
- Do not make more than one application per crop. Only use on treated corn (field and pop) or sorghum which has not previously been treated with any pirimiphos-methyl containing product.
- Calibrate spray equipment and periodically check in order to ensure proper spray rates.
- Do not store diluted Actellic 5E Insecticide in spray tank more than 48 hours before use.
- Avoid severely dusty application sites.
- Seed applications of Actellic 5E Insecticide are restricted to bulk or bagged seed corn (field and pop) and sorghum grain.
- Only to be used as grain enters storage or export containers. Not for use to control soil insects.
- Do not enter treated areas or have contact with treated grain or seed until sprays have dried.

#### WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

#### LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL

SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

Actellic® is a registered trademark of a Syngenta Group Company. AgriSolutions<sup>TM</sup> is a trademark of Winfield Solutions, LLC.

## Material to be added to an e-Jacket/Jacket

| e  | escription:                              |      | revisad  | [aba]                               |  |
|----|--|------|--|-------------------------------------|--|
|    |  |      | -  |                                     |  |
|    | Placemen                                 | t wi | thin the e-Jacket/jacket   | t:                                  |  |
|    | A  | Def  | fault: (chronological, to  | pp = newest)                        |  |
|    | . 🗆                                      | File | Location: (eg. "before   | e page 45 in .pdf")                 |  |
|    |  |      |  |                                     |  |
|    | Send to [                                | 1 _  | a Extraction contractors  Newly stamped accept   |                                     |  |
| 1  | Send to I                                | 1 _  |  |                                     |  |
|    | Send to [                                | 1 _  | Newly stamped accept   |                                     |  |
|    | Send to I                                | 1 _  | Newly stamped accept Notification  |                                     |  |
| 3. | Attach this o                            | cove | Newly stamped accept Notification New CSF  | ted label  e material or jacket. It | e the material with                    |
| 3. | Attach this of organized at this coversh | cove | Newly stamped accept Notification New CSF Other: ersheet to the top of the clipped together, NOT S | ted label  e material or jacket. It | re the material with<br>(Room S-4900). |



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460-0001

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Attn: Alice Walker Winfield Solutions LLC 3094 Country Club Road Senatobia, MS 38668

DEC 1 2009

Subject:

Actellic 5E Insecticide

EPA Reg. No. 1381-170

Your Application Dated November 5, 2009

Delete Reference to Seed Corn

Dear Ms. Walker;

The label referred to above, submitted in connection with the registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the following changes:

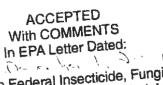
- 1. On page 4, directly below the heading APPLICATION DIRECTIONS, add the following:
  - "Do not make more than one application per crop. Only treat corn or grain sorghum which has not previously been treated with any pirimiphos-methyl containing product. Treatment of seed is only allowed off-farm (for example, in a facility where seed is bagged)."
- On page 4, delete the sentences "Only ONE application method may be used per load." and
  "Either treatment should only be used if the corn or grain sorghum has not previously received an
  application of Actellic 5E Insecticide."
- 3. On page 5, directly below the heading ADMIXTURE TREATMENT, add "For products marketed in containers of 64 fl. oz. or less, use for treatment is prohibited."

A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the referenced label, incorporating the above changes, before releasing the product for shipment. If you have any questions regarding this letter, please contact me at (703) 305-6736.

Sincerely yours

Joanne S. Edwards

Insecticide-Rodenticide Branch Registration Division (7504P)



Under the Federal Insecticide, Fungicide and Rodenticide Act, As amended, for the pesticide Registered under EPA Reg. No:



# ACTELLIC® 5E INSECTICIDE LOW ODOR FORMULATION

FOR CONTROL OF INSECTS ON STORED CORN AND GRAIN SORGHUM (Including Bulk or Bagged Seed)

#### **ACTIVE INGREDIENT:**

| TOTAL  | 100%       |
|--|------------|
| OTHER INGREDIENTS:   | <u>43%</u> |
| 0-(2-(diethylamino)-6-methyl-4-pyrimidinyl)0,0-dimethyl phosphorothioate | 57%        |
| Pirimiphos-methyl  |            |

Actellic 5E Insecticide contains 5 pounds active ingredient per gallon.

# KEEP OUT OF REACH OF CHILDREN DANGER/PELIGRO

Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted in detalle. (If you do not understand the label, find someone to explain it to you in detail.)

#### FIRST AID

| If in eyes    | Hold eye open and rinse slowly and gently with water for 15-20 minutes.                    |
|---------------|--|
|               | • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. |
|               | Call a poison control center or doctor for treatment advice.                               |
| If swallowed  | Call a poison control center or doctor immediately for treatment advice.                   |
|               | Have person sip a glass of water if able to swallow.                                       |
|               | Do not induce vomiting unless told to do so by the poison control center or doctor.        |
|               | Do not give anything by mouth to an unconscious person.                                    |
| If on skin or | Take off contaminated clothing.  |
| clothing      | Rinse skin immediately with plenty of water for 15-20 minutes.                             |
|               | Call a poison control center or doctor for treatment advice.                               |
| If inhaled    | Move person to fresh air.  |
|               | If person is not breathing, call 911 or an ambulance, then give artificial respiration,    |
|               | preferably mouth-to-mouth, if possible.  |
|               | Call a poison control center or doctor for further treatment advice.                       |

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. HOTLINE NUMBER: In case of emergency call toll free 1-877-424-7452. NOTE TO PHYSICIAN: This product contains an organophosphate. Pirimiphos-methyl is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate significance of exposure (baseline data are useful). Give 2 mg. of atropine intramuscularly or subcutaneously and repeat if symptoms of poisoning reappear. Pralidoxime (2 PAM) may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe poisoning, use antidote immediately after establishing an open airway and respiration. Actellic 5E Insecticide contains petroleum distillate. Vomiting may cause aspiration pneumonia.

See side panel for additional precautionary statements.

EPA Reg. No. 1381-170

Distributed By: Winfield Solutions, LLC P.O. Box 64589 St. Paul, MN 55164-0589

| EPA Est No   |  |
|--------------|--|
| Lot No.      |  |
|              |  |
| Net Contents |  |
| Gals.        |  |
| 0/1104/9     |  |

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Wear protective eyewear (goggles or face shield) when handling. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

#### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are barrier laminate or viton. If you want more options, follow the instructions for category G on an EPA chemical-resistant category selection chart.

Mixers, loaders, and other handlers supporting admixture seed and/or grain treatments must wear:
Long sleeve shirt and long pants
Shoes plus socks
Chemical-resistant gloves
Protective eyewear
See engineering controls for additional requirements.

All other mixers, loaders, applicators and other handlers must wear:
Coveralls over long sleeve shirt and long pants
Chemical-resistant footwear plus socks
Chemical-resistant gloves
Protective eyewear
In addition, mixers and loaders must wear:
Chemical-resistant apron

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

#### **User Safety Recommendations**

#### Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticides get inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as
  possible, wash thoroughly and change into clean clothing.

#### ENGINEERING CONTROLS (For products marketed in containers greater than 64 fluid oz. in size):

For all seed and/or grain treatments, handlers must use a closed system/loading system designed by the manufacturer to enclose the pesticide in a manner that prevents it from contacting handlers. This product is formulated in a container designed for closed mixing and loading. In addition:

- · handlers must wear the PPE specified for handlers supporting admixture seed and/or grain treatment.
- handlers must have available to them in case of accident or spill: coveralls and chemical resistant footwear.
- handlers must wear protective eyewear.

#### ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of waste.

#### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

#### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. **STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents. Keep container closed when not in use.

**PESTICIDE DISPOSAL:** Pesticides are acutely toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Use label language appropriate for container size and type.

Nonrefillable containers. Do not reuse or refill this container. Clean container promptly after emptying. Nonrefillable container equal to or less than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Nonrefillable container greater than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure or accident, call CHEMTREC 1-800-424-9300.

#### APPLICATION DIRECTIONS

## ADMIXTURE OR TOP DRESSING (Only ONE application method may be used per load.)

The best practice to protect stored corn (field and pop) and grain sorghum from insect infestation is to use an admixture treatment of Actellic 5E Insecticide. However, as it may not always be possible to move grain, a surface treatment of Actellic 5E Insecticide will help prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn (field and pop) or grain sorghum. But within your current stored grain management system, it will help protect the surface from invasion by insects.

Notice: Either treatment should only be used if the corn or grain sorghum has not previously received an application of Actellic 5E Insecticide.

#### ADMIXTURE TREATMENT

Apply spray solution uniformly with suitable application equipment as grain enters storage or export containers. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of Actellic 5E Insecticide in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low pressure spray in order to minimize drift. Shield nozzle if necessary. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates.

|                                    | Fluid Ounces                          | ppm Concentration |
|------------------------------------|---------------------------------------|-------------------|
| Shelled Corn (field corn, popcorn) | 9.2-12.3                              | 6-8               |
| Grain Sorghum                      | 9.2-12.3                              | 6-8               |
| Grain                              | No. of Bushels Approximately Equal to |                   |
|                                    | 30 Tons                               | of Grain          |
| Shelled Corn (field corn, popcorn) | 1,                                    | 071               |
| Grain Sorghum                      | 1,6                                   | 071               |

#### TOP DRESSING TREATMENT

To each 1,000 square feet of grain surface, apply 3 fluid ounces of Actellic 5E Insecticide diluted in 2 gallons of water. The treatment should be split as follows: Spray half of the mixture evenly over the surface and rake into the grain to a depth of 4 inches. Apply the remaining half of the mixture (1 gallon) to the raked surface.

Before making a surface application of Actellic 5E Insecticide, it will be necessary to remove any webbing and break up crusting that exists on the grain surface. If high numbers of Indian Meal Moth worms (2-3 per sq ft) exist, it will be best to remove the webbing, furnigate, and then apply Actellic 5E Insecticide as a surface application. Mix the following amount of Actellic 5E Insecticide with 2 gallons of water for a total mixture to treat 1,000 sq ft of grain surface:

|                                    | Fluid Ounces | ppm Concentration |
|------------------------------------|--------------|-------------------|
| Shelled Corn (field corn, popcorn) | 3.0          | 8                 |
| and Sorghum                        |              |                   |

#### INSECTS CONTROLLED WITH ACTELLIC 5E INSECTICIDE

| COLEOPTERA            |                       | LEPIDOPTERA          |   |
|-----------------------|-----------------------|----------------------|---|
| Cigarette beetle      | Maize weevil          | Almond moth          |   |
| Confused flour beetle | Merchant grain beetle | Angoumois grain moth |   |
| Corn sap beetle       | Red flour beetle      | Indian meal moth     | i |
| Flat grain beetle     | Rice weevil           |                      |   |
| Granary weevil        | Sawtoothed beetle     |                      |   |
| Hairy fungus beetle   |                       |                      |   |

- Grains treated with Actellic 5E Insecticide at rates indicated on this label may be used immediately for any food or feed purpose.
- Do not make more than one application per crop. Only use on treated corn (field and pop) or sorghum which has not previously been treated with any pirimiphos-methyl containing product.
- Calibrate spray equipment and periodically check in order to ensure proper spray rates.
- Do not store diluted Actellic 5E Insecticide in spray tank more than 48 hours before use.
- Avoid severely dusty application sites.
- Seed applications of Actellic 5E Insecticide are restricted to bulk or bagged seed corn (field and pop) and sorghum grain.
- Only to be used as grain enters storage or export containers. Not for use to control soil insects.
- Do not enter treated areas or have contact with treated grain or seed until sprays have dried.

#### WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

#### LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

Actellic® is a registered trademark of a Syngenta Group Company. AgriSolutions™ is a trademark of Winfield Solutions, LLC.



# RE: Actellic 5E (1381-170) Walker, Alice C to: Joanne Edwards Cc: "Halvorson, Gary"

Joanne,

I have revised Actellic 5E pretty much according to your corrections. There were two revisions that I had to tweak a little further. For your information, Actellic 5E is intended to be used to treat corn (field and pop) and sorghum as grain enters storage containers. This treated grain can then be sold as (1) feed or (2) bagged off into smaller containers and sold to seed companies for planting. If we followed your instructions under bullet 6 of the now-deleted heading "Remarks and Precautions," the product could not be used to treat grain entering storage containers. This IS the intended use of this product.

The two sections that I could not precisely follow your instructions are as follows:

Page 1: Changed "(Including Bulk or Bagged Seed)" to "(Bulk or Bagged Field Corn, Popcorn and Grain Sorghum Seed)." The seed companies have reqested this statement so they will know it is legal to bag and sell the treated seed for planting.

Page 5, bullet #6: Changed your suggestion of "Applications of Actellic 5E Insecticide are restricted to bulk or bagged seed corn (field and pop) and sorghum grain" to "Seed applications of Actellic 5E Insecticide are restricted to bulk or bagged seed corn (field and pop) and sorghum grain."

I hope this email clarifies our edits above and beyond your instructions. I've got to catch a plane to Minneapolis in a few minutes and will not be able to revise Execute S-P until I return home but since the edits are similar, it is probably good to get approval of Actellic 5E before proceeding to Execute. I'll be back in the office on Thursday.

Revised pdf label attached.

Alice

----Original Message----

From: Edwards.Joanne@epamail.epa.gov [mailto:Edwards.Joanne@epamail.epa.gov] Sent: Friday, November 06, 2009 1:08 PM

To: Walker, Alice C

Subject: Re: Actellic 5E (1381-170)

(See attached file: Actellic 5E Label 1381-170 Amnd 11-4-09.pdf)

Alice- Can you resubmit pdf with the changes I indicated? needs some more clarity

Joanne Edwards
EPA/OPPTS/OPP/RD/IRB

(703) 305-6736 edwards.joanne@epa.gov

-VEF

Actellic 5E Label 1381-170 Amnd 11-10-09.pdf



Re: Actellic 5E (1381-170) 🗋 Joanne Edwards to: Walker, Alice C

11/06/2009 02:08 PM



Actellic 5E Label 1381-170 Amnd 11-4-09.pdf

Alice- Can you resubmit pdf with the changes I indicated? needs some more clarity

Joanne Edwards EPA/OPPTS/OPP/RD/IRB (703) 305-6736 edwards.joanne@epa.gov



# ACTELLIC® 5E INSECTICIDE LOW ODOR FORMULATION

### FOR CONTROL OF INSECTS ON STORED CORN IND GRAIN SORGHUM

#### **ACTIVE INGREDIENT:**

Actellic 5E Insecticide contains 5 pounds active ingredient per gallon.

# KEEP OUT OF REACH OF CHILDREN DANGER/PELIGRO

Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted in detalle. (If you do not understand the label, find someone to explain it to you in detail.)

#### FIRST AID

| If in eyes    | Hold eye open and rinse slowly and gently with water for 15-20 minutes.                                 |  |
|---------------|---|--|
|               | • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.              |  |
|               | Call a poison control center or doctor for treatment advice.  |  |
| If swallowed  | Call a poison control center or doctor immediately for treatment advice.                                |  |
|               | Have person sip a glass of water if able to swallow.  |  |
|               | <ul> <li>Do not induce vomiting unless told to do so by the poison control center or doctor.</li> </ul> |  |
|               | Do not give anything by mouth to an unconscious person.   |  |
| If on skin or | Take off contaminated clothing.   |  |
| clothing      | Rinse skin immediately with plenty of water for 15-20 minutes.  |  |
|               | Call a poison control center or doctor for treatment advice.  |  |
| If inhaled    | Move person to fresh air.   |  |
|               | • If person is not breathing, call 911 or an ambulance, then give artificial respiration,               |  |
|               | preferably mouth-to-mouth, if possible.   |  |
|               | Call a poison control center or doctor for further treatment advice.                                    |  |

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. **HOTLINE NUMBER**: In case of emergency call toll free 1-877-424-7452. **NOTE TO PHYSICIAN**: This product contains an organophosphate. Pirimiphos-methyl is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate significance of exposure (baseline data are useful). Give 2 mg. of atropine intramuscularly or subcutaneously and repeat if symptoms of poisoning reappear. Pralidoxime (2 PAM) may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe poisoning, use antidote immediately after establishing an open airway and respiration. Actellic 5E Insecticide contains petroleum distillate. Vomiting may cause aspiration pneumonia.

See side panel for additional precautionary statements.

EPA Reg. No. 1381-170

Distributed By: Winfield Solutions, LLC P.O. Box 64589 St. Paul, MN 55164-0589

| EPA Est No   |  |  |
|--------------|--|--|
| Lot No.      |  |  |
|              |  |  |
| Net Contents |  |  |
| Gals.        |  |  |
| 0/1104/9     |  |  |

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Wear protective eyewear (goggles or face shield) when handling. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

#### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are barrier laminate or viton. If you want more options, follow the instructions for category G on an EPA chemical-resistant category selection chart.

Mixers, loaders, and other handlers supporting admixture seed and/or grain treatments must wear: Long sleeve shirt and long pants

Shoes plus socks

Chemical-resistant gloves

Protective eyewear

See engineering controls for additional requirements.

All other mixers, loaders, applicators and other handlers must wear:

Coveralls over long sleeve shirt and long pants

Chemical-resistant footwear plus socks

Chemical-resistant gloves

Protective eyewear

In addition, mixers and loaders must wear:

Chemical-resistant apron

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

#### **User Safety Recommendations**

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticides get inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### ENGINEERING CONTROLS (For products marketed in containers greater than 64 fluid oz. in size):

For all seed and/or grain treatments, handlers must use a closed system/loading system designed by the manufacturer to enclose the pesticide in a manner that prevents it from contacting handlers. This product is formulated in a container designed for closed mixing and loading. In addition:

- handlers must wear the PPE specified for handlers supporting admixture seed and/or grain treatment.
- handlers must have available to them in case of accident or spill: coveralls and chemical resistant footwear.
- · handlers must wear protective eyewear.

#### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of waste.

#### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

#### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. **STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents. Keep container closed when not in use.

**PESTICIDE DISPOSAL:** Pesticides are acutely toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Use label language appropriate for container size and type.

Nonrefillable containers. Do not reuse or refill this container. Clean container promptly after emptying. Nonrefillable container equal to or less than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Nonrefillable container greater than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Refiliable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

### FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure or accident, call CHEMTREC 1-800-424-9300.

#### APPLICATION DIRECTIONS

### ADMIXTURE OR TOP DRESSING (Only ONE application method may be used per load.)

The best practice to protect stored corn and grain sorghum from insect infestation is to use an admixture treatment of Actellic 5E Insecticide. However, as it may not always be possible to move grain, a surface treatment of Actellic 5E Insecticide will help prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn for grain sorghum. But within your current stored grain management system, it will help protect the surface from invasion by insects.

Notice: Either treatment should only be used if the corn or grain sorghum has not previously received an application of Actellic 5E Insecticide.

#### ADMIXTURE TREATMENT

Apply spray solution uniformly with suitable application equipment as grain enters storage or export containers. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of Actellic 5E Insecticide in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low pressure spray in order to minimize drift. Shield nozzle if necessary. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates.

|                                    | Fluid Ounces                          | ppm Concentration |
|------------------------------------|---------------------------------------|-------------------|
| Shelled Corn (field corn, popcorn) | 9.2-12.3                              | 6-8               |
| Grain Sorghum                      | 9.2-12.3                              | 6-8               |
| Grain                              | No. of Bushels Approximately Equal to |                   |
|                                    | 30 Tons                               | s of Grain        |
| Shelled Corn (field corn, popcorn) | 1,071                                 |                   |
| Grain Sorghum                      | 1,                                    | 071               |

#### TOP DRESSING TREATMENT

To each 1,000 square feet of grain surface, apply 3 fluid ounces of Actellic 5E Insecticide diluted in 2 gallons of water. The treatment should be split as follows: Spray half of the mixture evenly over the surface and rake into the grain to a depth of 4 inches. Apply the remaining half of the mixture (1 gallon) to the raked surface.

Before making a surface application of Actellic 5E Insecticide, it will be necessary to remove any webbing and break up crusting that exists on the grain surface. If high numbers of Indian Meal Moth worms (2-3 per sq ft) exist, it will be best to remove the webbing, fumigate, and then apply Actellic 5E Insecticide as a surface application. Mix the following amount of Actellic 5E Insecticide with 2 gallons of water for a total mixture to treat 1,000 sq ft of grain surface:

|                                    | Fluid Ounces | ppm Concentration |
|------------------------------------|--------------|-------------------|
| Shelled Corn (field corn, popcorn) | 3.0          | 8                 |
| and Sorghum                        |              |                   |

#### INSECTS CONTROLLED WITH ACTELLIC 5E INSECTICIDE

| INSECTS CONTROLLED WITH ACTELLIC SE INSECTICIDE |                       |                      |  |
|---|-----------------------|----------------------|--|
| CC  | DLEOPTERA             | LEPIDOPTERA          |  |
| Cigarette beetle                                | Maize weevil          | Almond moth          |  |
| Confused flour beetle                           | Merchant grain beetle | Angoumois grain moth |  |
| Corn sap beetle                                 | Red flour beetle      | Indian meal moth     |  |
| Flat grain beetle                               | Rice weevil           |                      |  |
| Granary weevil                                  | Sawtoothed beetle     |                      |  |
| Hairy fungus beetle                             |                       |                      |  |

#### REMARKS AND PRECAUTIONS

Grains treated with Actellic 5E Insecticide at rates indicated on this label may be used immediately for any food or feed purpose.

Do not make more than one application per crop. Only treat corn of sorghum which has not previously been treated with any pirimiphos-methyl containing product.

Calibrate spray equipment and periodically check in order to ensure proper spray rates.

Do not store diluted Actellic 5E Insecticide in spray tank more than 48 hours before use.

Avoid severely dusty application sites.

Applications of Actellic 5E Insecticide include stored bulk or bagged seed corn and sorghum grain. 

Only to be used as grain enters storage or export containers. Not meant to be used for control of soil insects. 

Do not enter treated areas or have contact with treated grain or seed until sprays have dried.

For further information, contact your local Winfield Solutions' dealer or representative.

#### WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

#### LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

Actellic® is a registered trademark of a Syngenta Group Company. AgriSolutions™ is a trademark of Winfield Solutions, LLC.



#### VIA EMAIL

November 5, 2009

Document Processing Desk (Amnd) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, DC 20460

Attn: Mr. John Hebert (Team 7)

Re: Actellic 5E Insecticide (EPA Reg. No. 1381-170)

In Response to Joanne Edwards' Email Dated November 3, 2009

In response to Joanne Edwards' November 3, 2009 instructions to delete references to seed corn, we have revised subject label and attach it hereto along with application for pesticide amendment.

We trust you will find this label satisfactory and in compliance with the requirements for amendment under FIFRA. If you should have any questions during your review, please do not hesitate to contact me.

Sincerely,

Alice Walker, Ph.D.

Registration Specialist

**Enclosures** 

lie Walker

| Form Approvec  | /IB No. 2070-006   | 0. Approval expires 2-28-95  |  |  |
|--|--|--|--|--|
|  |  | OPP Identifier Number  |  |  |
| for Pesticide -Section   |  |  |  |  |
| EPA Product Manager     John Hebert  | 3. Proposed C  | lassification  Restricted  |  |  |
| PM#<br>7   |  |  |  |  |
|  |  |  |  |  |
| ection I I   |  |  |  |  |
| ☐ "Me Too" Application ☐ Other - explain below ection II).                       |  |  |  |  |
| ection I I I   |  |  |  |  |
| Water Soluble Packaging  ☐ Yes ※ No  If "Yes," No. Per Package Wt. Container     | 2. Type of Cor  Metal Plastic Glass Paper Other (Sp  |  |  |  |
| 4. Size(s) of Retail Container<br>28 & 64 oz., 1 & 15 gallons                    | ♣ On Label   | Label Directions<br>ling accompanying product  |  |  |
| 6. Manner In Which Label Is Affixed To Product                                   |  |  |  |  |
| ection I V   |  |  |  |  |
| vidual to be contacted, if necessar  | , to process this  | application.)  |  |  |
| Name Title Telephone No. (Include Area Code Registration Specialist 662-562-5995 |  |  |  |  |
|  |  | Date Application     Received     (Stamped)  |  |  |
| Title Registration Specialist  |  |  |  |  |
| 5. Date<br>November 5, 2009  |  |  |  |  |
|  | Registrat Agency * Amendm  Other  for Pesticide -Section  2. EPA Product Manager John Hebert  PM# 7  6. Expedited Review. In accorproduct is similar or identical in office the section of | Registration Agency * Amendment  Other  for Pesticide -Section I  2. EPA Product Manager John Hebert  * None  PM# 7  6. Expedited Review. In accordance with FIFR product is similar or identical in composition and I  EPA Reg. No.:  Product Name:  ection I I  Final printed labels in response to Agency  Me Too" Application  Other - explain below  ection III  Water Soluble Packaging  Yes No Package Wt. Container  28 & 64 oz., 1 & 15 gallons  Other ( self-adhesive booklet)  ection I V  vidual to be contacted, if necessary, to process this Registration Specialist  Title Registration Specialist  5. Date  S. Date |  |  |

#### Actellic 5E (1381-170) Walker, Alice C to: Joanne Edwards

11/05/2009 11:12 AM

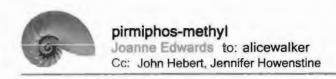
Dear Joanne,

I'm starting over with revised labeling to delete seed corn from Actellic 5E, 1381-170. This time I am including cover letter, 8570-1 form, and revised label in pdf. Execute S-P, 1381-198, will be submitted to you in a separate email.

Hope I didn't confuse you with the flurry of emails yesterday. Discard everything dated November 4. Hopefully, today's emails will take care of this matter.

Alice





Alice- are you still consultant for this? if not, know who it is?

if it's you, I need you to submit me a label for 1281-170 and also 1381-198 with corrections:

change "shelled corn (field corn, seed corn, popcorn)" to "shelled corn (field corn and, popcorn)" under Admixture and change "Corn and Sorghum" to read "shelled corn (field corn and, popcorn)" under top dressing

See below-- There was a SLITS question on this, and this was my response:

The issue is that the label says "shelled corn (field corn, seed corn, popcorn)" under directions for use for Admixture treatment (see page 4)

Based on this wording, you could interpret "seed corn" as the seeds from any type of corn (that you are going to plant), therefore allowing use on sweet corn seeds

Also, at the top of page 5 under Top Dressing Treatment is just says "Corn and Sorghum"

Since it just says 'corn", I would interpret it as to allow a top dressing treatment for sweet corn.

So now you need to check the tolerancestsee under 180.411

under tolerances for this chemical, it just lists field corn and pop corn.

therefore, based on my analysis, a person could use it on sweet corn and not go to jail, we need to go out to the registrant and tell them to:

change "shelled corn (field corn, seed corn, popcorn)" to "shelled corn (field corn and, popcorn)" under Admixture and change "Corn and Sorghum" to read "shelled corn (field corn and, popcorn)" under top dressing

Joanne Edwards EPA/OPPTS/OPP/RD/IRB (703) 305-6736 edwards.joanne@epa.gov



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

SEP 2 9 2009

Gary Halvorson Winfield Solutions, LLC., P.O. Box 64589 St. Paul, MN 55164

Subject: Existing Stocks Time Extension

Dear Mr. Halvorson:

The Office of Pesticide Programs (OPP), in letters dated September 4, 2007, officially changed the company name and address for company numbers 1381, 9779, and 14774 to Winfield Solutions, LLC., P.O. Box 64589, St. Paul, MN 55164. With this name and address change Winfield Solutions, LLC was allowed 18 months for sale and distribution of product bearing previously approved labeling with the old company name and address (40 CFR 152.130(c)). At your request, the allowable time for distribution and sale of these products was extended to August 4, 2009 by Donald R. Stubbs, Associate Director of the Registration Division at the time.

In e-mails to Jim Tompkins dated September 8, 2009 and September 22, 2009, Ms. Alice Walker of Winfield Solutions, LLC., has requested an additional year to distribute and sell existing stocks with the old company name and address. By this letter I am authorizing sale and distribution of existing stocks of those pesticide products on the enclosed list bearing company numbers 1381, 9779, and 14774 until September 1, 2010. All products must be distributed and sold by this date.

Lois Rossi.

Director,

Registration Division

Enclosure

ndon for Lois Rossi

# MATERIAL TO BE ADDE.) TO JACKET

|        | REG#       | 1381-170               |         |
|--------|------------|------------------------|---------|
| Descri | ption:     | PRNotice 2007-4 C      | hange.  |
|        |            |                        |         |
| che    | eck all th | at apply               |         |
|        | new s      | stamped accepted label | Send to |
|        | new CSF 8  |                        | d to    |
| 80     | notific    | notification           |         |

#### Instructions:

Attach this sheet to the top of ALL material sent to the file room (both loose paper and new material in jackets). This sheet will be imaged; a clear description will aid in finding material in the e-jacket. Remove staples from all material. If returning loose paper then hold together with a binder or paper clip. CSFs should be placed in the CSF folder (if returning jacket) or covered with a red CBI sheet (if returning loose paper). Material to be returned to file room should be place in the appropriate bin.

| Reviewer's Name: Name: Date:       | JUL 0 7 2008 |
|------------------------------------|--------------|
| Phone: (703) 368 - 858 / Division: | RO           |

- 18<sup>th</sup>



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND FOXIC SUBSTANCES

Alice Walker, Ph.D. Agent for Winfield Solutions 3094 Country Club Road Senatobia, MS 38668 JUL 7 2008

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 98-10

Dear Dr. Walker:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated May 5, 2008 for:

EPA Registration 1381-170

Acetellic 5E Insecticide

The Registration Division (RD) has conducted a review of this request for applicability under PR Notices 2007-4 and 98-10 and finds that the label changes requested falls within the scope of PR Notices 2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-8893.

Sincerely,

Linda Arrington

Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs

June 4, 2008

Document Processing Desk (Notif) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, DC 20460

Attn: Ms. Nicole Williams

Re: Notification of New Container Disposal Language per PRN 2007-4 as Revised April 29, 2008

I am resubmitting Winfield Solutions' labels below in accordance with PRN 2007-4 as revised April 29, 2008.

| Product Name     | EPA Reg. No. |
|------------------|--------------|
| Actellic 5E      | 1381-170     |
| Atrazine 4L      | 1381-158     |
| Bison            | 9779-347     |
| Charger Basic    | 1381-207     |
| Charger Max      | 1381-194     |
| Charger Max ATZ  | 1381-199     |
| Cornerstone      | 1381-191     |
| Cornerstone      | 1381-201     |
| Cornerstone Plus | 1381-192     |
| Cornerstone Plus | 1381-200     |
| Glyphosate 41%   |              |

These notifications are consistent with the provisions of PR Notices 98-10 and 07-4 and the requirements of EPA's regulations at 40 CFR §§ 152.46, 156.10, 156.140, 156.144, 156.146, and 156.156 and no other changes have been made to the labeling or the confidential statements of formula of these products. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if these notifications are not consistent with the terms of PR Notices 98-10 and 07-4 and 40 CFR 152.46, 156.10, 156.140, 156.144, 156.146, and 156.156 this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Yours very truly,

Alice Walker, Ph.D. Regulatory Consultant

| Please read instructions on reverse be. completing   | form.  | <del> </del>  | Form  | roved                            | OMB No. 2   | 070-0060                                   | Approval expires 2-28-95  |
|--|--|---|---|----------------------------------|---|--|---|
| SEPA Environmental Possibility   | gency  |   | <b>✓</b>  | Registra<br>Amendr<br>Other      |   | OPP Identifier Number                      |   |
| Ap   | plication fo   | r Pesticid  | e - Sect  | tion                             | l   |  |   |
| 1. Company/Product Number<br>1381-170  |  | 2. EPA Pro<br>John He   | oduct Man   | ager                             |   | F  | posed Classification None Restricted  |
| 4. Company/Product (Name) Actellic 5E Insecticide  |  | PM# 7   |   |                                  |   |  |   |
| 5. Name and Address of Applicant (Include ZIP Code)  |  | 6. Exped  | dited Rev   | eiw.                             | In accorda  | nce with                                   | FIFRA Section 3(c)(3)   |
| Winfield Solutions, LLC, c/o Alice Walker<br>3094 Country Club Road<br>Senatobia, MS 38668   | Consulting   | to:   | product i   |                                  | N   | OTIFIC                                     | mposition and labeling  |
| Check if this is a new address   |  | Produc  | t Name  |                                  | ļ   | JUL 0 7                                    | 7 2008  |
|  | S  | ection - II   |   |                                  |   |  |   |
| Amendment - Explain below.  Resubmission in response to Agency letter dat  Notification - Explain below.   | ed   | — <u> </u>  | Final printed<br>Agency lett<br>"Me Too" /<br>Other - Exp | ter dat<br>Applica               | ation.  | e to                                       |   |
| Explanation: Use additional page(s) if necessary.  Notification of new container disposal language per PRN and revised the disclaimer which has been previously at CFR 152.46, and no other changes have been made to 18 U.S.C. Sec. 1001 to willfully make any false statement and 40 CFR 152.46, this product may be in violation of I | N 07-4. We have a<br>oproved. This notif<br>the labeling or the<br>nt to EPA. I furthe | ilso moved the<br>ication is consi-<br>confidential star<br>r understand th | stent with the<br>atement of f<br>at if this not          | ne provi<br>formula<br>tificatio | risions of PR I<br>a of this produ<br>on is not consi | Notice 98-1<br>ct. I unden<br>stent with t | 0 and EPA regulations at 40 stand that it is a violation of he terms of PR Notice 98-10 |
|  | Se   | ection - III  |   |                                  |   |  |   |
| 1. Material This Product Will Be Packaged In:  |  |   |   |                                  |   |  |   |
| Child-Resistant Packaging Unit Packaging   | Wa   | Water Soluble Packaging 2. Type of  |   |                                  | <b>-</b>  |  |   |
| Ves Ves √ No   |  | ✓ No  |   |                                  | Metal<br>  Plestic<br>  Glass                         |  |   |
|  |  | Yes"<br>kage wgt  |   |                                  |   | Specify)                                   |   |
| 3. Location of Net Contents Information 4.   | Size(s) Retail Co  | Container 5. Location of Label Directions                                   |   |                                  |   |  | ons   |
| ✓   Label     Container  | 28 & 64 o  | & 64 oz., 1 & 15 gals.  |   |                                  |   |  |   |
| 6. Manner in Which Label is Affixed to Product   | Lithograph<br>Paper glued<br>Stenciled   | ograph If glued ciled   |   |                                  |   |  |   |
| Section - IV   |  |   |   |                                  |   |  |   |
| 1. Contact Point (Complete items directly below for it   | dentification of in  | dividual to be  | contacted,  | if nec                           | essary, to pi   | ocess this                                 | application.)   |
| Name<br>Alice Walker, Ph.D.  | Title<br>Ager  |   |   |                                  | Telephon<br>662-562-                                  | hone No. (Include Area Code)<br>562-5995   |   |
| I certify that the statements I have made on thi<br>I acknowledge that any knowlingly false or mis<br>both under applicable law.   |  |   |   |                                  |   |  | 6. Date Application<br>Received<br>(Stamped)  |
| 2. Signature   | 3. Titl  | 3. Title  |   |                                  |   |  |   |
| Che Walker   |  |   | _   |                                  |   |  |   |
| 4. Τγρε <b>d Name</b><br>Alice Walker, Ph.D.   | 5. Dat   | •<br>5-5-(  | 08  |                                  |   |  |   |
| I  |  |   |   |                                  |   |  | ŀ   |

JUL 0 7 2008



# ACTELLIC® 5E INSECTICIDE LOW ODOR FORMULATION

# FOR CONTROL OF INSECTS ON STORED CORN AND GRAIN SORGHUM (Including Bulk or Bagged Seed)

#### **ACTIVE INGREDIENT:**

| Pirimiphos-methyl  |     |
|--|-----|
| 0-(2-(diethylamino)-6-methyl-4-pyrimidinyl)0,0-dimethyl phosphorothioate | 57% |
| OTHER INGREDIENTS:   |     |
| TOTAL  |     |

Actellic 5E Insecticide contains 5 pounds active ingredient per gallon.

# DANGER/PELIGRO

Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted in detalle. (If you do not understand the label, find someone to explain it to you in detail.)

#### **FIRST AID**

|   | esent, after the first 5 minutes, then continue rinsing eye.  or doctor for treatment advice. |  |  |  |  |  |
|---|---|--|--|--|--|--|
|   |   |  |  |  |  |  |
| If swallowed • Call a poison control center of  | and actor immediately for treatment advise  |  |  |  |  |  |
|   | or doctor militediately for treatment advice.   |  |  |  |  |  |
| Have person sip a glass of w  | Have person sip a glass of water if able to swallow.  |  |  |  |  |  |
| Do not induce vomiting unle   | ss told to do so by the poison control center or doctor.                                      |  |  |  |  |  |
| Do not give anything by more  | th to an unconscious person.  |  |  |  |  |  |
| If on skin or • Take off contaminated clothi  | ng.   |  |  |  |  |  |
| clothing • Rinse skin immediately with  | plenty of water for 15-20 minutes.  |  |  |  |  |  |
| Call a poison control center  | or doctor for treatment advice.   |  |  |  |  |  |
| If inhaled • Move person to fresh air.  |   |  |  |  |  |  |
| If person is not breathing, ca  | Il 911 or an ambulance, then give artificial respiration,                                     |  |  |  |  |  |
| preferably mouth-to-mouth,  | if possible.  |  |  |  |  |  |
| Call a poison control center of the | or doctor for further treatment advice.   |  |  |  |  |  |

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. HOTLINE NUMBER: In case of emergency call toll free 1-877-424-7452. NOTE TO PHYSICIAN: This product contains an organophosphate. Pirimiphos-methyl is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate significance of exposure (baseline data are useful). Give 2 mg. of atropine intramuscularly or subcutaneously and repeat if symptoms of poisoning reappear. Pralidoxime (2 PAM) may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe poisoning, use antidote immediately after establishing an open airway and respiration. Actellic 5E Insecticide contains petroleum distillate. Vomiting may cause aspiration pneumonia.

See side panel for additional precautionary statements.

EPA Reg. No. 1381-170

Distributed By: Winfield Solutions, LLC P.O. Box 64589 St. Paul, MN 55164-0589

| EPA Est No<br>Lot No         |
|------------------------------|
| Net Contents  Gals. 0/0505/8 |

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Wear protective eyewear (goggles or face shield) when handling. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

#### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are barrier laminate or viton. If you want more options, follow the instructions for category G on an EPA chemical-resistant category selection chart.

Mixers, loaders, and other handlers supporting admixture seed and/or grain treatments must wear:

Long sleeve shirt and long pants

Shoes plus socks

Chemical-resistant gloves

Protective eyewear

See engineering controls for additional requirements.

All other mixers, loaders, applicators and other handlers must wear:

Coveralls over long sleeve shirt and long pants

Chemical-resistant footwear plus socks

Chemical-resistant gloves

Protective eyewear

In addition, mixers and loaders must wear:

Chemical-resistant apron

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

#### **User Safety Recommendations**

#### Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticides get inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### ENGINEERING CONTROLS (For products marketed in containers greater than 64 fluid oz. in size):

For all seed and/or grain treatments, handlers must use a closed system/loading system designed by the manufacturer to enclose the pesticide in a manner that prevents it from contacting handlers. This product is formulated in a container designed for closed mixing and loading. In addition:

- handlers must wear the PPE specified for handlers supporting admixture seed and/or grain treatment.
- handlers must have available to them in case of accident or spill: coveralls and chemical resistant footwear.
- · handlers must wear protective eyewear.

#### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of waste.

#### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

#### **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

#### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. **STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents. Keep container closed when not in use.

**PESTICIDE DISPOSAL:** Pesticides are acutely toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Use label language appropriate for container size and type.

Nonrefillable containers. Do not reuse or refill this container. Clean container promptly after emptying. Nonrefillable container equal to or less than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Nonrefillable container greater than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

Refillable container. Refill this container with this pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by state and local authorities.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure or accident, call CHEMTREC 1-800-424-9300.

#### APPLICATION DIRECTIONS

## ADMIXTURE OR TOP DRESSING (Only ONE application method may be used per load.)

The best practice to protect stored corn and grain sorghum from insect infestation is to use an admixture treatment of Actellic 5E Insecticide. However, as it may not always be possible to move grain, a surface treatment of Actellic 5E Insecticide will help prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn or grain sorghum. But within your current stored grain management system, it will help protect the surface from invasion by insects.

Notice: Either treatment should only be used if the corn or grain sorghum has not previously received an application of Actellic 5E Insecticide.

#### ADMIXTURE TREATMENT

Apply spray solution uniformly with suitable application equipment as grain enters storage or export containers. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of Actellic 5E Insecticide in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low pressure spray in order to minimize drift. Shield nozzle if necessary. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates.

|   | Fluid Ounces       | ppm Concentration    |
|---|--------------------|----------------------|
| Shelled Corn (field corn, seed corn, popcorn) | 9.2-12.3           | 6-8                  |
| Grain Sorghum                                 | 9.2-12.3           | 6-8                  |
| Grain   | No. of Bushels App | proximately Equal to |
|   | 30 Tons            | of Grain             |
| Shelled Corn (field corn, seed corn, popcorn) | 1,                 | 071                  |
| Grain Sorghum                                 | 1,                 | 071                  |

#### TOP DRESSING TREATMENT

To each 1,000 square feet of grain surface, apply 3 fluid ounces of Actellic 5E Insecticide diluted in 2 gallons of water. The treatment should be split as follows: Spray half of the mixture evenly over the surface and rake into the grain to a depth of 4 inches. Apply the remaining half of the mixture (1 gallon) to the raked surface.

Before making a surface application of Actellic 5E Insecticide, it will be necessary to remove any webbing and break up crusting that exists on the grain surface. If high numbers of Indian Meal Moth worms (2-3 per sq ft) exist, it will be best to remove the webbing, furnigate, and then apply Actellic 5E Insecticide as a surface application. Mix the following amount of Actellic 5E Insecticide with 2 gallons of water for a total mixture to treat 1,000 sq ft of grain surface:

|                  | Fluid Ounces | ppm Concentration |
|------------------|--------------|-------------------|
| Corn and Sorghum | 3.0          | 8                 |

INSECTS CONTROLLED WITH ACTELLIC 5E INSECTICIDE

|                       | COLEOPTERA            | LEPIDOPTERA          |  |
|-----------------------|-----------------------|----------------------|--|
| Cigarette beetle      | Maize weevil          | Almond moth          |  |
| Confused flour beetle | Merchant grain beetle | Angoumois grain moth |  |
| Corn sap beetle       | Red flour beetle      | Indian meal moth     |  |
| Flat grain beetle     | Rice weevil           |                      |  |
| Granary weevil        | Sawtoothed beetle     |                      |  |
| Hairy fungus beetle   |                       |                      |  |

#### REMARKS AND PRECAUTIONS

|        | Grains treated with Actellic 5E Insecticide at rates indicated on this label may be used immediately for any food |
|--------|---|
|        | or feed purpose.  |
|        | Do not make more than one application per crop. Only treat corn or sorghum which has not previously been          |
|        | treated with any pirimiphos-methyl containing product.  |
|        | Calibrate spray equipment and periodically check in order to ensure proper spray rates.                           |
|        | Do not store diluted Actellic 5E Insecticide in spray tank more than 48 hours before use.                         |
|        | Avoid severely dusty application sites.   |
|        | Applications of Actellic 5E Insecticide include stored bulk or bagged seed corn and sorghum grain.                |
|        | Only to be used as grain enters storage or export containers. Not meant to be used for control of soil insects.   |
|        | Do not enter treated areas or have contact with treated grain or seed until sprays have dried.                    |
| $\neg$ | For further information, contact your local Agriliance dealer or representative                                   |

# MATERIAL TO BE ADDED TO JACKET

|   | RI   | EG#   | 1381 -  | 170   |   |
|---|--|---|---|---|---|
| Des   | cript  | tion:   | file  |   |   |
|   | ched   | ck all that   | t apply   |   |   |
|   |  |   | amped acc   | epted label   | Send to   |
|   |  | new C   | SF  |   |   |
|   |  | notifica  | ation   |   | CSC   |
| new ma<br>finding r<br>paper th<br>CSF fold | his sheeterial in material nen hold der (if re Materia | et to the top of jackets). This in the e-jacket together with attention to be returned. | s sheet will be image<br>et. <u>Remove staples</u> for<br>a binder or paper cli<br>t) or covered with a <u>re</u><br>ed to file room should | o the file room (both lod; a clear description votes all material. If retipe CSFs should be pled CBI sheet (if return to be place in the approximation) | will aid in<br>urning loose<br>aced in the<br>ing loose<br>opriate bin. |
| Reviewe<br>Nar                              |  | Joanne  | Edwards   | Date:   | 3/19/08   |
| Pho   | ne:  | 703 - 30  | 5-6736  | Division:   | IRB ( RD  |

January 31, 2008

Document Processing Desk Attn: Mr. John Hebert Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency 1200 Pennsylvania Ave., NW Washington, DC 20460

Re: D366244, EPA Reg. No. 1381-170

D366242, EPA Reg. No. 1381-171

Dear Mr. Hebert:

As authorized representative for Winfield Solutions, LLC (formerly Agriliance, LLC), I would like to request an official withdrawal of its applications for amendment to subject registrations to add a post-harvest use on sunflower seeds. It is my understanding that the risk picture for this chemical exceeds HED's level of concern.

Thank you very much for your assistance. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Alice Walker, Ph.D.

Regulatory Consultant

lie Walken

/aw

cc: Gary Halvorson



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Date:

February 1, 2008

**OPP Decision Number:** 

D366244

EPA Reg. No.:

1381-170, Actellic 5E Insecticide Low Odor Formulation

OPP Decision Number:

D366242

EPA Reg. No.:

1381-171, Pirimiphos-Methyl Technical

EPA Receipt Date:

March 24, 2006

Company Name:

Winfield Solutions, LLC

Gary Halvorson

Winfield Solutions, LLC (formerly Agriliance, LLC)

PO Box 64589

St. Paul, MN 55164-0589

Subject: Confirmation of Registrant's Request to Withdraw an Application

Dear Mr. Halvorson;

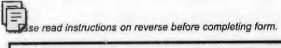
This is to confirm that the Agency has received and processed your request to withdraw the above referenced application. Pursuant to the IR-4 Waiver Determination Under the Pesticide Registration Improvement Act, the IR-4 petition for pirimiphos-methyl in/on sunflower was deemed in the public interest. Therefore, we granted a waiver of the registration service fees for the pirimiphos-methyl/sunflower IR-4 petition/application.

Any future submission related to this action must be submitted as a new application that requires with the appropriate fee pr request for a fee waiver.

Sincerely,

ois A. Rossi, Director

Registration Division 7505P Office of Pesticide Programs



| <b>\$EPA</b>  | Environmenta  |   | Registration Amendment Other   |                 |                       | OPP Identifier Number     |  |
|---|---|---|--|-----------------|-----------------------|---------------------------|--|
|   |   | Application   | on for Pesticid  | e - Section     | n I                   |                           |  |
| 1. Company/Product Number   |   | roduct Manager  | r  | 3. Pr           | oposed Classification |                           |  |
| 1381-170  |   |   | John He  | erbert          |                       | ×                         | None Restricted                                  |
| 4. Company/Product (Name<br>Actellic 5E Insecticide                                     |   |   | PM#<br>PM 7  | PM#<br>PM 7     |                       |                           |  |
| 5. Name and Address of Ap<br>Agriliance LLC<br>P.O. Box 64809<br>St. Paul, Minnesota 55 |   | ode)  | (b)(i), my<br>to:<br>EPA Re  | y product is si |                       | cal in co                 | FIFRA Section 3(c)(3)<br>imposition and labeling |
|   |   |   | Section - II   | atoto           |                       |                           |  |
| X Amendment - Explain Resubmission in resp Notification - Explain                       |   | Final printed lal<br>Agency letter of<br>"Me Too" Appl<br>Other - Explain | lication.  | to              | 17                    |                           |  |
| 1. Material This Product Wi   | II Be Deckeded in                                       |   | Section - III  |                 |                       |                           |  |
| Child-Resistant Packaging   | Unit Packaging  |   | Water Soluble Pa   | ckaoina         | 2. Type of C          | ontaine                   |  |
| Yes<br>X No   | Yes<br>X No   |   | Yes X No   |                 | x                     | Motal<br>Plastic<br>Glass |  |
| * Certification must<br>be submitted  | If "Yes"<br>Unit Packaging wg                           | No. per<br>t. container   | If "Yes"<br>Package wgt  | No. per Pepe    |                       | Paper                     | Specify)   |
| 3. Location of Net Contents  X Label X 0  | Net Contents Information  X   Container   1/2 GAL AND 1 |   |  | r               | Location of Labor     | d Directi                 | ons  |
| 6. Manner in Which Label is Affixed to Product SELF ADHERING                            |   |   | nograph OtherOther   |                 |                       |                           |  |
|   | =   |   | Section - IV   |                 |                       |                           |  |
| 1. Contact Point (Complete  | items directly below                                    | for identificati  | on of individual to be   | contacted, if n | ecessary, to pro      | cess this                 | epplication.)                                    |
| Name<br>Gary Halvorson  |   |   |  |                 |                       |                           | e No. (Include Area Code)<br>51 5379             |
| I certify that the statements I have made on this form an                               |   |   | fication and all attachments thereto are true, accurate and complete, statement may be punishable by fine or imprisonment or |                 |                       |                           | 6. Date Application<br>Received<br>(Stamped)     |
| 2. Signature  |   |   | 3. Title   |                 |                       |                           |  |
| My Holion   | su  |   | Registration Manager   |                 |                       |                           |  |
| 4. Typed Name Gary Halvorson  |   |   | 9/20/2005  |                 |                       |                           |  |



# ACTELLIC® 5E INSECTICIDE LOW ODOR FORMULATION

## FOR CONTROL OF INSECTS ON STORED CORN, GRAIN SORGHUM AND SUNFLOWERS (Including Bulk or Bagged Seed)

| A | C | Π | $\mathbf{V}$ | Ε. | IN | GR | ED | ΙE | NT |  |
|---|---|---|--------------|----|----|----|----|----|----|--|
|   |   |   |              |    |    |    |    |    |    |  |

Actellic 5E Insecticide contains 5 pounds active ingredient per gallon.

# WARNING

#### FIRST AID

If in eyes

- Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

If swallowed

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by the poison control center or doctor.
- Do not give anything by mouth to an unconscious person.

If on skin or clothing

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call a poison control center or doctor for treatment advice.

If inhaled

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.
- Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. NOTE TO PHYSICIAN: Inducing vomiting as first aid for this substance may result in increased risk of chemical pneumonia or pulmonary edema caused by aspiration of the hydrocarbon solvent. Vomiting should be induced only under professional supervision. Atropine is antidotal for cholinesterase inhibition. Give 2 mg. of atropine intramuscularly or subcutaneously and repeat if symptoms of poisoning reappear. Pralidoxime (2 PAM) may be given if available. Give 1 gram intramuscularly or intravenously and repeat as necessary.

See side panel for additional precautionary statements.

| EPA Reg. No. 1381-170 | EPA Est No |
|-----------------------|------------|
|-----------------------|------------|

Agriliance, LLC P.O. Box 64089 St. Paul, MN 55164-0089

**Net Contents** 

0/E16/5

Gals.

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

Causes eye irritation. Do not get in eyes. Wear goggles or face shield when handling.

Harmful if swallowed, inhaled, or absorbed through the skin. Avoid breathing vapors or spray mist. Keep container closed. Wear rubber gloves when handling concentrate.

Causes skin irritation. Do not get on skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

#### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water, or to areas where surface water is present or to intertidal zones below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of waste.

In case of a significant spill, call CHEMTREC (800) 424-9300.

#### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

#### **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

#### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

**STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents. Keep container closed when not in use.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

#### CONTAINER DISPOSAL:

Metal Containers: Triple rinse(or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by State and local authorities.

Plastic Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

#### APPLICATION DIRECTIONS

#### ADMIXTURE OR TOP DRESSING

(Only ONE application method may be used per load.)

The best practice to protect stored Corn, Grain Sorghum and Sunflowers from insect infestation is to use an admixture treatment of Actellic 5E Insecticide. However, as it may not always be possible to move grain, a surface treatment of Actellic 5E Insecticide will help prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn, grain sorghum or sunflowers. But within your current stored grain management system, it will help protect the surface from invasion by insects.



IR-4 Headquarters
Center for Specialty Crop Pest Management
Rutgers, The State University of New Jersey
681 US Highway 1
North Brunswick, NJ 08902-3390
732.932.9575 fax: 732.932.8481
www.ir4.rutgers edu

March 22, 2006

Ms. Barbara Madden 266A Crystal Mall No. 2 1801 South Bell Street Arlington, VA 22202

Dear Ms. Madden:

RE:

Pirimiphos-methyl

Actellic 5E

EPA Reg. No.: 1381-170

Pirimiphos-methyl, O-[2-diethylamino-6-methyl-4-pyrimidinyl) O,O-dimethyl phosphorothioate, the metabolite O-[2-ethylamino-pyrimidin-4-yl) O,O-dimethyl phosphorothioate, and, in free and conjugated form, the metabolites 2-diethylamino-6-methyl-pyrimidin-4-ol, 2-ethylamino-6-methyl-pyrimidin-4-ol, and 2-amino-6-methyl-pyrimidin-4-ol in

New Use

Sunflower, seed

PR# 08813

Field Trials: 4

Analytical Reports: 1

Category: I

R17 \$50,000

See following page for waiver request.

#### ELECTRONIC SUBMISSION TO FOLLOW

The undersigned, Mr. Kenneth S. Samoil, Technical Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers, The State University of New Jersey, North Brunswick, New Jersey 08902, on behalf of the IR-4 Project and the Agricultural Experiment Station of North Dakota submits this petition pursuant to Section 408(e) of the Federal Food, Drug and Cosmetic Act, as amended, with respect to the pesticide chemical, NAME (40 CFR 180.409).

#### List of Studies Submitted in Support of Proposed Tolerance for Name

Vol. No

Volume Title

MRID No. / PP No.

- 1 Petition (Administrative Volume Only, No Study)
- 2 Pirimiphos-methyl: Magnitude of the Residue on Sunflower

Major funding for IR-4 is provided by Special Research Grants and Hatch Act Funds from USDA-CSREES, in cooperation with the State Agricultural Experimental Stations and USDA-ARS.



#### Actellic 5E EPA Reg. No.: 1381-170

As per the "IR-4 Waiver Determination Under the Pesticide Registration Improvement Act" signed by OPP Director James J. Jones, the IR-4 tolerance petition for pirimiphosmethyl in/on sunflower is in the public interest. Therefore, IR-4 in cooperation with the registrant, Agriliance, LLC, is requesting a waiver of the registration services fee for the pirimiphos-methyl/sunflower petition only (IR-4 Submission).

The hard copies (2 copies of each volume, paper documents) submission is enclosed with this transmission.

Also enclosed are the following:

- EPA Form 8570-1 (Rev. 3-94) (Registration Package Form).
- Proposed Label for the use of Actellic 5E for use on sunflower (Also included in Section B of the Petition (Administrative Volume). For all questions regarding the proposed label, please contact the registrant.
- Proposed Label for pirimiphos-methyl technical (for manufacturing use only). For all questions regarding the proposed label, please contact the registrant.
- Notice of Filing (for use on sunflower (IR-4).

Yours very truly.

Interregional Research Project No. 4

Petitioner

Kenneth S. Samoil Technical Coordinator

IR-4 Project Headquarters

Rutgers, The State University of New Jersey

681 U.S. Highway No. 1 South, North Brunswick, NJ 08902-3390

Copies:

Gary Halvorson, Agriliance (Volumes (+2 only) HH

IR-4 Regional Coordinators (Volume 1 only)

## Fee for Service

for Division This package includes the following OAD New Registration **BPPD** Amendment RD Risk Mgr. □ volpay % Reduction: /⊘ 792179 S-Receipt No. EPA File Symbol/Reg. No. 1381-170 Pin-Punch Date: 3/24/06 This item is NOT subject to FFS action. Parent/Child Decisions: **Action Code:** 1381-171/ PP#6E 7056 Requested: 1381-170 Granted: R-17.0 Amount Due: Selective Support Cite-All **Human Studies:** Tox (excluding Six-Pack) Other Human Research (efficacy, exposure, etc.) Reviewer: J. Mille Date: 3-28-06 Remarks: Adding sunflowers.



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

March 29, 2006

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

OPP Decision Number: **D-366244** 

EPA File Symbol or Registration Number: 1381-170

Product Name: ACTELLIC® 5E INSECTICIDE LOW ODOR FORMULATION

EPA Receipt Date: 24-Mar-2006 EPA Company Number: 1381

Company Name: AGRILIANCE, LLC

GARY HALVORSON AGRILIANCE, LLC PO Box 64089 ST. PAUL, MN 55164-0089

SUBJECT: Receipt of Amendment and IR-4 Fee Waiver Request

#### Dear Registrant:

The Office of Pesticide Programs has received your application for amendment and IR-4 fee waiver request. If you submitted data with this application, the results of the PRN-86-5 screen will be communicated separately. During the administrative screen, the Office of Pesticide Programs has determined that this Action is subject to a Pesticide Registration Service Fee as defined in the Pesticide Registration Improvement Act.

The Action has been identified as Action Code: R17.0

NEW USE; EACH ADDITIONAL NEW FOOD USE; NO FEE: LINKED TO A PRIA APPLICATION:

Your request for waiver has been forwarded for review. You will be notified in writing when a determination is made regarding your request. If the determination indicates that payment is due, you will receive instructions for submitting payment at that time.

If you have any questions, please contact the Pesticide Registration Service Fee Ombudsman, at (703) 305-6249.

Sincerely,

Front End Processing Staff

Information Technology & Resources Management Division

## Material to be added to a Mini-Jacket (in the case where an e-Jacket exists)

| Reg. No. 1331 WA90038  |
|--|
| Send to SIG: check box   |
| This material is:  |
| <ul> <li>New stamped-accepted label</li> <li>New CSF</li> <li>Notification</li> </ul>  |
| Other: 24-c Information  |
| Instructions: Attach this notice on top of the material. It must be clipped all together and there should be NO STAPLES in the material. Then give the material with this coversheet to staff in the Information Services Center (Room 230). |
| Reviewer's Name: 1 canno - Iduals  |
| Phone: 305-6736 Division: RD   |
| Date:  |



### U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460

EPA Reg. Number: 1381-170

Date o' Issuance:

MAR 1 5 2007

NOTICE OF PESTICIDE:

Registration

x Reregistration (under FIFRA, as amended)

Unconditional Name of Pesticide Product:

Term of Issuance:

Actellic 5E Insecticide

Name and Address of Registrant (include ZIP Code): Agriliance, LLC c/o Alice Walker 3094 Country Club Road

Senatobia, Mississippi 38668

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Reregistration Eligibility Decision, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

Generic data requirements that have been identified in the RED as confirmatory data for the active ingredient contained in the subject product will continue to be tracked and assessed in the Agency's continual reassessment of pesticides.

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable provided that you make the change indicated below, and submit two (2) copies of your final printed labeling before you release the product for shipment: A stamped copy of the label is enclosed for your records.

Delete reference to the company website. If you wish, you may list your company email address.

You may distribute products bearing old labels/labeling for 12 months from receipt of this letter or your next printing of the label, which ever occurs first.

Signature of Approving Official:

Insecticide-Rodenticide Branch

Registration Division (7505P)

Date:

MAR 1 5 2007

Page 2 Notice of Reregistration (continued) EPA Reg. No. 1381-170

Regarding the Special Local Need registration associated with this parent product registration (EPA SLN No. MI-050002), the Agency has comments regarding the revised labeling submitted electronically on March 15, 2005 in connection with registration under FIFRA section 24(c) and in response to the RED. They are listed below.

1. Revise the front panel signal word to read DANGER/PELIGRO.

The label must also bear the Spanish text "PELIGRO" "Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)"

- 2. Either delete all language regarding first aid, precautionary statement, personal protective equipment and note to physician, or revise to read identical to this approved label.
- 3. Make the following change to the label:

Substitute the heading "Application Restrictions" with the heading "Engineering Controls".

4. In the ingredients statement change "INERT INGREDIENTS to read OTHER INGREDIENTS.

Regarding the Special Local Need registration associated with this parent product registration (EPA SLN No. WA-900038), the Agency has comments regarding the revised labeling submitted February 24, 2003 in connection with registration under FIFRA section 24(c) and in response to the RED. They are listed below.

- 1. Either delete all language regarding personal protective equipment and user safety requirements, or revise to read the same as on this approved label.
- 2. Make the following change to the label:

Substitute the heading "Restrictions" with the heading "Engineering Controls".

Please forward a copy of the revised SLN labeling to the appropriate State official(s) for their comment/approval. Any additional State-stipulated wording or limitations, including reference to applicable State Rules or Regulations or updates to them, must appear on the labeling. Please notify the Agency by e-mail to <a href="mailto:edwards.joanne@epa.gov">edwards.joanne@epa.gov</a> when you actually do forward the revised SLN label(s) to the State(s). When submitting the label to the State, please request the State to forward a copy of the revised SLN label (including their additions, if any) to the Agency for official confirmation of their receipt and approval, since Agency approval of the State's notification is required to finalize the action.

If you have any questions or comments regarding this letter, please contact Joanne Edwards at (703) 305-6736 or via e-mail at Edwards.joanne@epa.gov.



Under the Federal Essecticide, Fungicide, and Rodenticide Act, as exacuted, for the penticide rogistored under EFA Reg. No.

# ACTELLIC® 5E INSECTICIDE LOW ODOR FORMULATION

### FOR CONTROL OF INSECTS ON STORED CORN AND GRAIN SORGHUM (Including Bulk or Bagged Seed)

### **ACTIVE INGREDIENT:**

| Pirimiphos-methyl  |     |
|--|-----|
| 0-(2-(diethylamino)-6-methyl-4-pyrimidinyl)0,0-dimethyl phosphorothioate | 57% |
| OTHER INGREDIENTS:   |     |
| TOTAL  |     |

Actellic 5E Insecticide contains 5 pounds active ingredient per gallon:

## KEEP OUT OF REACH OF CHILDREN DANGER/PELIGRO

Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted în detalle. (If you do not understand the label, find someone to explain it to you in detail.)

### **FIRST AID**

| If in eyes    | Hold eye open and rinse slowly and gently with water for 15-20 minutes.                    |
|---------------|--|
| ·             | • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. |
|               | Call a poison control center or doctor for treatment advice.                               |
| If swallowed  | Call a poison control center or doctor immediately for treatment advice.                   |
|               | Have person sip a glass of water if able to swallow.                                       |
|               | Do not induce vomiting unless told to do so by the poison control center or doctor.        |
| l:            | Do not give anything by mouth to an unconscious person.                                    |
| If on skin or | Take off contaminated clothing.  |
| clothing      | Rinse skin immediately with plenty of water for 15-20 minutes.                             |
|               | Call a poison control center or doctor for treatment advice.                               |
| If inhaled    | Move person to fresh air.  |
|               | • If person is not breathing, call 911 or an ambulance, then give artificial respiration,  |
|               | preferably mouth-to-mouth, if possible.  |
|               | Call a poison control center or doctor for further treatment advice.                       |

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. HOTLINE NUMBER: In case of emergency call toll free 1-877-424-7452. NOTE TO PHYSICIAN: This product contains an organophosphate. Pirimiphos-methyl is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate significance of exposure (baseline data are useful). Give 2 mg. of atropine intramuscularly or subcutaneously and repeat if symptoms of poisoning reappear. Pralidoxime (2 PAM) may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe poisoning, use antidote immediately after establishing an open airway and respiration. Actellic 5E Insecticide contains petroleum distillate. Vomiting may cause aspiration pneumonia.

See side panel for additional precautionary statements.

EPA Reg. No. 1381-170

EPA Est No.

Distributed By: Agriliance, LLC P.O. Box 64089 St. Paul, MN 55164-0089 www.agriliance.com

Net Contents
\_\_\_\_ Gals.

0/A05/7

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Wear protective eyewear (goggles or face shield) when handling. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are barrier laminate or viton. If you want more options, follow the instructions for category G on an EPA chemical-resistant category selection chart.

Mixers, loaders, and other handlers supporting admixture seed and/or grain treatments must wear:

Long sleeve shirt and long pants

Shoes plus socks

Chemical-resistant gloves

Protective eyewear

See engineering controls for additional requirements.

All other mixers, loaders, applicators and other handlers must wear:

Coveralls over long sleeve shirt and long pants

Chemical-resistant footwear plus socks

Chemical-resistant gloves

Protective eyewear

In addition, mixers and loaders must wear:

Chemical-resistant apron

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

### **User Safety Recommendations**

#### Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticides get inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### ENGINEERING CONTROLS (For products marketed in containers greater than 64 fluid oz. in size):

For all seed and/or grain treatments, handlers must use a closed system/loading system designed by the manufacturer to enclose the pesticide in a manner that prevents it from contacting handlers. This product is formulated in a container designed for closed mixing and loading. In addition:

- handlers must wear the PPE specified for handlers supporting admixture seed and/or grain treatment.
- handlers must have available to them in case of accident or spill: coveralls and chemical resistant footwear.
- handlers must wear protective eyewear.

### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of waste. In case of a significant spill, call CHEMTREC (800) 424-9300.

### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

**STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents. Keep container closed when not in use.

**PESTICIDE DISPOSAL:** Pesticides are acutely toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

### CONTAINER DISPOSAL:

Metal Containers: Triple rinse(or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by State and local authorities.

Plastic Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### APPLICATION DIRECTIONS

### ADMIXTURE OR TOP DRESSING (Only ONE application method may be used per load.)

The best practice to protect stored corn and grain sorghum from insect infestation is to use an admixture treatment of Actellic 5E Insecticide. However, as it may not always be possible to move grain, a surface treatment of Actellic 5E Insecticide will help prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn or grain sorghum. But within your current stored grain management system, it will help protect the surface from invasion by insects.

Notice: Either treatment should only be used if the corn or grain sorghum has not previously received an application of Actellic 5E Insecticide.

### ADMIXTURE TREATMENT

Apply spray solution uniformly with suitable application equipment as grain enters storage or export containers. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of Actellic 5E Insecticide in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low pressure spray in order to minimize drift. Shield nozzle if necessary. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates.

|   | Fluid Ounces | ppm Concentration    |
|---|--------------|----------------------|
| Shelled Corn (field corn, seed corn, popcorn) | 9.2-12.3     | 6-8                  |
| Grain Sorghum                                 | 9.2-12.3     | 6-8                  |
| Grain No. of Bushels Approximately Equ        |              | proximately Equal to |
|   | 30 Tons      | of Grain             |
| Shelled Corn (field corn, seed corn, popcorn) | 1,           | 071                  |
| Grain Sorghum                                 | 1,           | 071                  |

#### TOP DRESSING TREATMENT

To each 1,000 square feet of grain surface, apply 3 fluid ounces of Actellic 5E Insecticide diluted in 2 gallons of water. The treatment should be split as follows: Spray half of the mixture evenly over the surface and rake into the grain to a depth of 4 inches. Apply the remaining half of the mixture (1 gallon) to the raked surface.

Before making a surface application of Actellic 5E Insecticide, it will be necessary to remove any webbing and break up crusting that exists on the grain surface. If high numbers of Indian Meal Moth worms (2-3 per sq ft) exist, it will be best to remove the webbing, fumigate, and then apply Actellic 5E Insecticide as a surface application. Mix the following amount of Actellic 5E Insecticide with 2 gallons of water for a total mixture to treat 1,000 sq ft of grain surface:

|                  | Fluid Ounces | ppm Concentration |
|------------------|--------------|-------------------|
| Corn and Sorghum | 3.0          | 8                 |

### INSECTS CONTROLLED WITH ACTELLIC 5E INSECTICIDE

| COLEOPTERA            |                       | LEPIDOPTERA          |   |
|-----------------------|-----------------------|----------------------|---|
| Cigarette beetle      | Maize weevil          | Almond moth          |   |
| Confused flour beetle | Merchant grain beetle | Angoumois grain moth |   |
| Corn sap beetle       | Red flour beetle      | Indian meal moth     |   |
| Flat grain beetle     | Rice weevil           |                      | - |
| Granary weevil        | Sawtoothed beetle     |                      |   |
| Hairy fungus beetle   |                       |                      |   |

#### REMARKS AND PRECAUTIONS

|   | Grains treated with Actellic 5E Insecticide at rates indicated on this label may be used immediately for any food |
|---|---|
|   | or feed purpose.  |
|   | Do not make more than one application per crop. Only treat corn or sorghum which has not previously been          |
|   | treated with any pirimiphos-methyl containing product.  |
| 9 | Calibrate spray equipment and periodically check in order to ensure proper spray rates.                           |
|   | Do not store diluted Actellic 5E Insecticide in spray tank more than 48 hours before use.                         |
|   | Avoid severely dusty application sites.   |
| , | Applications of Actellic 5E Insecticide include stored bulk or bagged seed corn and sorghum grain.                |
|   | Only to be used as grain enters storage or export containers. Not meant to be used for control of soil insects.   |
|   | Do not enter treated areas or have contact with treated grain or seed until sprays have dried.                    |
|   | For further information, contact your local Agrillance dealer or representative.                                  |

### IMPORTANT INFORMATION READ BEFORE USING PRODUCT

### CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

**NOTICE**: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. The Directions for Use of this product reflect the opinion of experts based on field use and tests. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Agriliance, LLC or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of Agriliance, LLC and Seller. To the extent allowed by law, all such risks shall be assumed by

### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

December 13, 2006

### **CERTIFIED MAIL**

Steve Foss
State of Washington Department of Agriculture
PO Box 42560
Olympia,
Washington 98504-2560

Subject:

EPA SLN No. WA-9000038

Agrisolutions Actellic 5E Insecticide (EPA Reg. No. 1381-170)

Status of Product Rereistration Label Corrections Required

Dear Mr. Foss:

The Agency has reviewed the revised labeling submitted for WA-9000038 in response to the Pirimiphos-methyl RED Product Specific Data Call-In (labeling you submitted electronically on March 15, 2005). The Agency has determined further label changes are necessary to bring the label into compliance with the RED requirements.

The comments below describe the changes required. Please revise the current label and submit five copies (one with the annotated changes from the current acceptable label) along with an EPA Form 8570-1 plus a cover letter. As you may have done previously, it would be helpful if you would include an electronic copy of the label on CD-ROM as described in the guidance found on the Agency's website at: <a href="http://www.epa.gov/oppfeadl\_eds/esr\_guidance.htm=pilots">http://www.epa.gov/oppfeadl\_eds/esr\_guidance.htm=pilots</a>

The Agency is providing you with 45 days from receipt of this letter to adequately address the deficiencies noted in this letter and submit the revised labeling. In the absence of these changes, the Agency does not believe that the product containing pirimiphos-methyl meet the standard for registration under FIFRA. Therefore, failure to adequately respond within the 45 day time frame may result in either a Notice of Intent to Suspend or a Notice of Intent to Cancel affecting the registration of the subject product(s), as appropriate. Copies of the Agency's reviews are enclosed for your records.

### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

April 15, 2003

Steve Foss
State of Washington Department of Agriculture
PO Box 42560
Olympia,
Washington 98504-2560

Subject:

EPA SLN No. WA-900038

Agrisolutions Actellic 5E Insecticide (EPA Reg. No. 1381-170)

Revised Label Dated February 24, 2003

Dear Mr. Foss:

'This will acknowledge receipt of the above notification of a registration pursuant to section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, as follows:

EPA Reg. No.:

1381-170

Site:

Iris Bulbs

Pest:

Mealy Bugs

Applicant:

Washington Bulb Company

Amendment:

Revise Personal Protection Equipment and User Safety Requirements as Specified in IRD; Revise Product Name and EPA Reg. No. to Reflect Current Registrant of Section 3 Product; Revise Label to Restrict Use to Fogging Only (no hand-held); Add worker

Notification Requirements and Add Expiration Date of December 31, 2008.

There is no objection to the revised labeling you submitted. This labeling has been included in the file for the subject 24(c). Please note that the pirimiphos- methyl reregistration is an ongoing process, and as such, there may be additional label modifications required at a later point in time. If you have any questions, please contact me at (703) 305-6736, or electronically at edwards.joanne@epa.gov.

Sincerely,

Joanne S. Edwards, Entomologist Insecticide-Rodenticide Branch

Registration Division (7505C)

cc: Venus Eagle, SRRD



### STATE OF WASHINGTON DEPARTMENT OF AGRICULTURE

P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800

February 24, 2003

Document Processing Desk (SLN)
Office of Pesticide Programs H7504C
US Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue
Washington DC 20004

RE: EPA SLN Reg. number WA-900038

Enclosed is revised labeling for the third-party Washington Special Local Need (SLN) registration number WA-900038 issued to the Washington Bulb Co., Inc for the use of Agrisolutions Actellic 5E Insecticide (EPA Reg. No. 1381-170) on bulbs.

The following revisions have been made to WA-900038:

- The product name and EPA Reg. Number have been changed to reflect the current registrant of the Section 3 product.
- Personal Protective Equipment (PPE) and User Safety Requirements statements as specified in IRED for pirimiphos-methyl for bulbs were added to this label. The 24(c) label requires use of coveralls, chemical resistant gloves, a self-contained breathing apparatus. Ventilation is required prior to reentry.
- Directions for treating iris bulbs using any means other than fogging were removed from the label. The label was modified to prohibit the use of hand-held fogging equipment.
- Worker notification requirements were added under the heading RESTRICTIONS.
- An expiration date of December 31, 2008 has been added to the label.

If you have any questions, please contact me at (360) 902-2049 or by e-mail at sfoss@agr.wa.gov.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Steve L. Foss

Star Neu

Pesticide Information/Biopesticide Specialist

SLF:j Enclosure

cc: John Roozen, Washington Bulb Co., Inc

Venus Eagle, EPA Jane Thomas, WSU

Rose Kachadoorian, ODA





Growers of Flowers and Bulbs TULIPS DAFFODILS IR'S LILIES

16031 Beaver Marsh Road • Mount Vernon, WA 98273 • Phone (560) 424-5555

# PRODUCT BULLETIN FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON FOR USE BY WASHINGTON BULB CO., INC. ONLY

#### AGRISOLUTIONS ACTELLIC 5E INSECTICIDE

EPA REGISTRATION NUMBER 1381-170

SLN No. WA-900038

### PRECAUTIONARY STATEMENTS

Personal Protective Equipment (PPE)

All mixers, loaders and applicators must wear coveralls over long-sleeved shirt and long pants, chemical-resistant footwear plus socks, and chemical-resistant gloves. Mixers and loaders must wear chemical-resistant apron. In addition, handlers must wear coveralls over long-sleeved shirt and pants, chemical-resistant footwear plus socks, and chemical-resistant gloves. Handlers must have available to them for use in case they must enter the area during treatment, or before ventilation requirements have been met: chemical-resistant headgear, and a self-contained breathing apparatus (SCBA) (MSHA/NIOSHA approval number prefix TC-13F).

#### **User Safety Requirements**

Follow manufacturer's instruction for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Any handler who enters the treated area before the ventilation requirements have been met, must maintain continuous visual or voice contact with another handler. That other handler must have immediate access to the PPE required on this labeling for handlers in the event entry into the funigated area becomes necessary for rescue.

**DIRECTIONS FOR USE:** It is in violation of Federal law to use this product in a manner inconsistent with its labeling. This labeling must be in the possession of the user at the time of application. Follow all applicable directions, restrictions, and precautions on the EPA registered label.

Agrisolutions Actellic 5E can be applied as a fogging treatment only. The effect of Actellic 5E insecticide is strongly influenced by temperature. It is preferable to avoid treatment at less than 68°F. (20°C.)

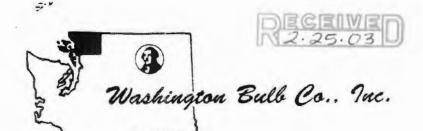
APPLICATION FOR USE: For control of mealy bugs (Phenacoccus-types) in iris.

For indoor use only.

Mealy bugs can be controlled with space treatment.

Rate of Use: 60 ml per 10 cu. m. cell content (0.0159 gallons per 13.1 cubic yards cell content). Take note:

- 1. For space treatment, 4 cc carrier substance per 10 cu. m. cell content must be added to the Actellic. (0.00106 gallons per 13.1 cubic yards).
- 2. Mites can sometimes remain in an empty container. A container treatment can be carried out in advance by space treatment (60 ml per 10 cu. m.) (or 0.0159 gallons per 13.1 cubic yards).
- 3. When bulbs are stored in cube-shaped boxes or bins, ("kuubskisten") it may be difficult for the treatment to reach the center or inner portions of the bin.



Growers of Principle and Audio-TURES AGENT OF THE

15031 Benver Mirsh Hoad • Mount versus I/IA 98273 • Phone Lote Commit

### PRODUCT BULLETIN

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON FOR USE BY WASHINGTON BULB CO., INC. ONLY

#### AGRISOLUTIONS ACTELLIC 5E INSECTICIDE

**EPA REGISTRATION NUMBER 1381-170** 

SLN No. WA-900038

### PRECAUTIONARY STATEMENTS

Personal Protective Equipment (PPE)

All mixers, loaders and applicators must wear coveralls over long-sleeved shirt and long pants, chemical-resistant footwear plus socks, and chemical-resistant gloves. Mixers and loaders must wear chemical-resistant apron. In addition, handlers must wear coveralls over long-sleeved shirt and pants, chemical-resistant footwear plus socks, and chemical-resistant gloves. Handlers must have available to them for use in case they must enter the area during treatment, or before ventilation requirements have been met: chemical-resistant headgear, and a self-contained breathing apparatus (SCBA) (MSHA/NIOSHA approval number prefix TC-13F).

#### **User Safety Requirements**

Follow manufacturer's instruction for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Any handler who enters the treated area before the ventilation requirements have been met, must maintain continuous visual or voice contact with another handler. That other handler must have immediate access to the PPE required on this labeling for handlers in the event entry into the fumigated area becomes necessary for rescue.

<u>DIRECTIONS FOR USE</u>: It is in violation of Federal law to use this product in a manner inconsistent with its labeling. This labeling must be in the possession of the user at the time of application. Follow all applicable directions, restrictions, and precautions on the EPA registered label.

Agrisolutions Actellic 5E can be applied as a fogging treatment only. The effect of Actellic 5E insecticide is strongly influenced by temperature. It is preferable to avoid treatment at less than 68°F. (20°C.)

APPLICATION FOR USE: For control of mealy bugs (Phenacoccus-types) in iris.

For indoor use only.

Mealy bugs can be controlled with space treatment.

Rate of Use: 60 ml per 10 cu. m. cell content (0.0159 gallons per 13.1 cubic yards cell content). Take note:

- For space treatment, 4 cc carrier substance per 10 cu. m. cell content must be added to the Actellic. (0.00106 gallons per 13.1 cubic yards).
- Mites can sometimes remain in an empty container. A container treatment can be carried out in advance by space treatment (60 ml per 10 cu. m.) (or 0.0159 gallons per 13.1 cubic yards).
- When bulbs are stored in cube-shaped boxes or bins, ("kuubskisten") it may be difficult for the treatment to reach the center or inner portions of the bin.

"There is No Substitute for Quality"

### RESTRICTIONS

- Application must only be made with use of stationary or cart-mounted automated fogging devices, which when activated, function automatically without an operator present.
- Use of hand-held foggers is prohibited.
- All entries to the structure must be blocked/barricaded and posted with the required fumigant warning signs.
- All area vents must be closed and all circulating fans must be turned off.
- · All misting systems must be turned off.
- Immediately after activating the fogging device, the applicator must exit the treatment area.
- Notify workers of the application warning them orally and posting fumigant warning signs at all entrances to the treated area. The signs must bear the skull and crossbones symbol and state: (1) "Danger/Peligro". (2) "Area under Fumigation. DO NOT ENTER/NO ENTRE". (3) the date and time of fumigation. (4) Agrisolutions Actellic E Insecticide in use, and (5) name, address and phone number of the applicator.
- Entry by any person other than properly trained and equipped handlers using the PPE specified
  above for reentry during the treatment period is PROHIBITED in the entire enclosed treatment
  area from the start of application until the treated area is ventilated as follows:
  - 10 air exchanges, or
  - 2 hours of ventilation using fans or other mechanical ventilating systems, or
  - 4 hours of ventilation using vents, windows other passive ventilation, or
  - 11 hours with no ventilation followed by 1 hour of mechanical ventilation, or
  - 11 hours with no ventilation followed by 2 hours of passive ventilation.
  - 24 hours with no ventilation.
- For the first 48 hours after ventilation has been completed, reentry workers must wear chemicalresistant gloves.
- Workers planting bulbs treated with Agrisolutions Actellic 5E Insecticide must wear chemicalresistant gloves.

This label for Agrisolutions Actellic 5E expires and must not be distributed or used in accordance with this SLN registration after December 31, 2008.



To: Jane Mitchell

cc:

Subject: Revised Labeling WA-900038

Janine.....I can't print out the pdf label because it is captured to my desk printer. :-(......would you please print it for me.

thanks a million.

Venus Eagle Chemical Review Manager Special Review and Reregistration Division (7508C) (703) 308-8045

..... Forwarded by Venus Eagle/DC/USEPA/US on 02/25/2003 11:03 AM .....



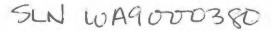
"Foss, Steve (AGR)" <SFoss@agr.wa.gov> 02/24/2003 03:37 PM

To: Venus Eagle/DC/USEPA/US@EPA

cc: "John Roozen (E-mail)" <john@wabulb.com>, "Jane Thomas

(E-mail)" <jmthomas@tricity.wsu.edu>

Subject: Revised Labeling WA-900038



Venus,

Please find attached the revised label for the third-party Washington Special Local Need (SLN) registration number WA-900038 issued to the Washington Bulb Co., Inc for the use of Agrisolutions Actellic 5E Insecticide (EPA Reg. No. 1381-170) on bulbs.

The following revisions have been made to WA-900038:

The company name and EPA Reg. Number have been changed to reflect the current registrant of the Section 3 product.

Personal Protective Equipment (PPE) and User Safety Requirements statements as specified in IRED for pirimiphos-methyl for bulbs were added to this label. The 24(c) label requires use of coveralls, chemical resistant gloves, a self-contained breathing apparatus. Ventilation is required prior to reentry.

Directions for treating iris bulbs using any means other than fogging were removed from the label. The label was modified to prohibit the use of hand-held fogging equipment.

Worker notification requirements were added under the heading RESTRICTIONS.

An expiration date of December 31, 2008 has been added to the label.

<<WA900038 022403.pdf>>

This label is posted on WSU's PNN Web page at www.pnn.wsu.edu. If you have any questions, please contact me at (360) 902-2049 or by e-mail at sfoss@agr.wa.gov.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Steve L. Foss

Joanne Edwards
EPA/OPPTS/OPP/RD/IRB
(703) 305-6736
edwards.joanne@epa.gov
"Foss, Steve (AGR)" <SFoss@agr.wa.gov>



"Foss, Steve (AGR)" <SFoss@agr.wa.gov> 12/22/2006 11:41 AM

To John Hebert/DC/USEPA/US@EPA

cc Joanne Edwards/DC/USEPA/US@EPA

Subject RE: EPA Notification WA-900038 and Agrisolutions Actellic 5E Insecticide (EPAReg. No. 1381-170)

## **FAX**

### TRANSMITTAL COVER SHEET

| To: John Roozen       | F |
|-----------------------|---|
| OF: Wash. Bulh. Co.   |   |
| FAX: 13401 424 - 3113 |   |
| FON: 13401 404 - 5533 |   |
| DATE: SUPT. 3, 2002   |   |

FROM: Venus Eagle EPA 703-308.8045 phone 703-405.0656 fax

NUMBER OF PAGES (INCLUDING THIS COVER):

John -

Please put an X" in column 7b. and fill out 8,9,10+11. Fox back to me with a copy 9 your 24 C label.

Thanks -

P.S. call if you have any questions.

Venus

Page 1 of 1

08/03/02

13:55 FAX 703 605 0656

FIFRA SAP PANEL

### United States Environmental Protection Agency Washington, D.C. 20460

#### DATA CALL-IN RESPONSI

Form Approved

UMB No. 2070-0107
2070-0057

Amproved Expires 12/31/0

|  |                              | DATA CAL   | TT-TW   | KESPUNGE        | •                          |             |           |             | Approvat                | Explicas 12/31/00 |
|--|------------------------------|--|---|-----------------|----------------------------|-------------|-----------|-------------|-------------------------|-------------------|
| INSTRUCTIONS: Please t<br>Use additional sheet(s   |                              | nk. Please read carefully                              | the ex  | teched Instruct | ions and supply the        | information | requested | on this for | Til .                   | -                 |
| 1. Company name and Address Mr. John Roozen - Washington Bulb Co., Inc. 16031 Beaver Marsh Road Mount Vernon, WA 98273   |                              |  | 2. Case 4 and Name 2535 Pirimiphos-methyl chemical # and Name 108102 Pirimiphos-methyl  |                 |                            | hyl         | v1        |             | end Type of OCT<br>ERIC |                   |
| 5. I wish to cancel this product registration  6. Generic Data  6. Generic Data  6. Generic Data  6. Generic Data  6. I specific Data  7. Product Specific Data  6. Generic Data requirements as indicated on the attached form entitled in the active on the attached form entitled in the active Data requirements of the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the active Data requirements as indicated on the attached on the attached form entitled in the active Data requirements as indicated on the attached form entitled in the |                              | AUP and<br>he MUP<br>attached<br>rements               | 7b. My product is an EUP and J spose to satisfy the EUP requirements on the attached form entitled "Requirements Status and Registrant's Response," |                 |                            |             |           |             |                         |                   |
| WA90003800   |                              |  |   |                 | ALIEN YER                  |             |           |             |                         |                   |
|  |                              |  |   |                 |                            | <br> -<br>  |           |             | ·                       |                   |
|  |                              |  |   |                 |                            |             |           |             | ·                       | • .               |
|  |                              |  |   |                 | . •                        |             |           | _           |                         | :                 |
| 8. Certification I certify that the state I scknowledge that any look both under applicable Signature and Title of the   | kwadingly false or<br>e law. | is form and all attochment<br>misicading statement may | be puni   | shable by fine  | and complete. Imprisorment | \           | 9. D      |             | 3,200                   | ,2                |
| 10, Home of Company Con  |                              |  |   |                 | Wooling                    | o Bella     |           | hone Number | 24-55:                  | 33                |

Page 1 of 1

## United States Environmental Protection Agency Washington, D.C. 20460

### DATA CALL-IN RESPONSE

Form Approved

OMB No. 2070-0107
2070-0057

Approval Expires 12/31/00 INSTRUCTIONS: Please type or print in ink. Please read cerefully the attached instructions and supply the information requested on this form. Use additional sheet(s) if necessary 3. Date and Type of DCI 1. Company name and Address 2. Case # and Name Pirimiphos-methyl 2535 Mr. John Roozen - Washington Bulb Co., Inc. GENERIC Chemical # and Name 108102 16031 Beaver Marsh Road Pirimiphos-methyl Mount Vernon, WA 98273 7. Product Specific Data 4. EPA Product 5. I wish to 6. Generic Data Registration cancel this 7e. My product is an MUP and 7b. My product is an EUP and 6b. I agree to satisfy Generic 6a. I am claiming a Generic product regis-Data requirements as indicated 1 agree to satisfy the MUP I agree to satisfy the EUP Data Exemption because I tration volunon the attached form entitled requirements on the attached requirements on the attached obtain the active ingredient terfly form entitled "Requirements form entitled "Requirements from the source EPA regis-"Requirements Status and tration number listed below. Registrant's Response." Status and Registrent's Status and Registrant's Response." Response." WA90003800 8. Certification 9. Date I certify that the statements made on this form and all attachments are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine, imprisonment or both under applicable law. Signature and Title of Company's Authorized Representative 10. Name of Company Contact 11. Phone Number

09/03/02

### Reference Files System

Page: 1

Company Data Report

Company No.: 64428

Name: WASHINGTON BULB CO, INC

Address: 16031 BEAVER MARSH ROAD

MOUNT VERNON, WA 98273

USA

Contact: JOHN ROOZEN

Phone: (360) 424-5533

Agent: N Consortium: N

Undeliverable: N

Company Types Flag
Manufacturer Y

102

# Material to be added to a Mini-Jacket (in the case where an e-Jacket exists)

| Reg. No. SLN MIO50002  |
|--|
| Send to SIG: check box   |
| This material is:  |
| ☐ New stamped-accepted label ☐ New CSF ☐ Notification ☐ Final Printed Label ☐ Other:   |
| Instructions: Attach this notice on top of the material. It must be clipped all together and there should be NO STAPLES in the material. Then give the material with this coversheet to staff in the Information Services Center (Room 230). |
| Reviewer's Name: Johns Edwards   |
| Phone: 202-6736 Division: 1RB  |
| Date: 7 - 7 -07  |



Alice Walker <alicewalker@epaconsulting. net> 04/25/2007 05:26 PM To Joanne Edwards/DC/USEPA/US@EPA

cc Gary Halvorson <gchalvorson@agriliance.com>

bcc

Subject SLN MI 050002, Actellic 5E, EPA Reg. No. 1381-170

History:

This message has been forwarded.

Dear Joanne,

Attached is copy of Agriliance's request to cancel subject SLN on Actellic 5E.

If you have any questions, please give me a call (662-562-5995).

457

Alice Cancel 24(c) in MI0001.tif

# Material to be added to a Mini-Jacket (in the case where an e-Jacket exists)

| Reg. No  |
|--|
| Send to SIG: check box   |
| This material is:  |
| New stamped-accepted label  New CSF  Notification Final Printed Label Other:   |
| Instructions: Attach this notice on top of the material. It must be clipped all together and there should be NO STAPLES in the material. Then give the material with this coversheet to staff in the Information Services Center (Room 230). |
| Reviewer's Name: Johns Etward  |
| Phone: 305-6736 Division: 18 RD  |
| Date: 3/20/07  |



### U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460 1381-170

EPA Reg Number:

Date of Issuance:

Unconditional

MAR 1 5 2007

NOTICE OF PESTICIDE:

Registration

x Reregistration (under FIFRA, as amended)

Name of Pesticide Product:

Term of Issuance:

Actellic 5E Insecticide

Name and Address of Registrant (include ZIP Code): Agriliance, LLC c/o Alice Walker 3094 Country Club Road Senatobia, Mississippi 38668

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Reregistration Eligibility Decision, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

Generic data requirements that have been identified in the RED as confirmatory data for the active ingredient contained in the subject product will continue to be tracked and assessed in the Agency's continual reassessment of pesticides.

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable provided that you make the change indicated below, and submit two (2) copies of your final printed labeling before you release the product for shipment: A stamped copy of the label is enclosed for your records.

 Delete reference to the company website. If you wish, you may list your company email address.

You may distribute products bearing old labels/labeling for 12 months from receipt of this letter or your next printing of the label, which ever occurs first.

Meredith Laws, Chief
Insecticide-Rodenticide Branch

Registration Division (7505P)

Date:

MAR 1 5 2007

Page 2 Notice of Reregistration (continued) EPA Reg. No. 1381-170

Regarding the Special Local Need registration associated with this parent product registration (EPA SLN No. MI-050002), the Agency has comments regarding the revised labeling submitted electronically on March 15, 2005 in connection with registration under FIFRA section 24(c) and in response to the RED. They are listed below.

1. Revise the front panel signal word to read DANGER/PELIGRO.

The label must also bear the Spanish text "PELIGRO" "Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)"

- 2. Either delete all language regarding first aid, precautionary statement, personal protective equipment and note to physician, or revise to read identical to this approved label.
- 3. Make the following change to the label:

Substitute the heading "Application Restrictions" with the heading "Engineering Controls".

4. In the ingredients statement change "INERT INGREDIENTS to read OTHER INGREDIENTS.

Regarding the Special Local Need registration associated with this parent product registration (EPA SLN No. WA-900038), the Agency has comments regarding the revised labeling submitted February 24, 2003 in connection with registration under FIFRA section 24(c) and in response to the RED. They are listed below.

- 1. Either delete all language regarding personal protective equipment and user safety requirements, or revise to read the same as on this approved label.
- 2. Make the following change to the label:

Substitute the heading "Restrictions" with the heading "Engineering Controls".

Please forward a copy of the revised SLN labeling to the appropriate State official(s) for their comment/approval. Any additional State-stipulated wording or limitations, including reference to applicable State Rules or Regulations or updates to them, must appear on the labeling. Please notify the Agency by e-mail to <a href="mailto-edwards.joanne@epa.gov">edwards.joanne@epa.gov</a> when you actually do forward the revised SLN label(s) to the State(s). When submitting the label to the State, please request the State to forward a copy of the revised SLN label (including their additions, if any) to the Agency for official confirmation of their receipt and approval, since Agency approval of the State's notification is required to finalize the action.

If you have any questions or comments regarding this letter, please contact Joanne Edwards at (703) 305-6736 or via e-mail at Edwards.joanne@epa.gov.



MAR 1 5 2007

Under the Indone Encoclede, Funcicle, and sadmilede Act, as extended, for the pesticide registered under EPA Reg. No.

# ACTELLIC® 5E INSECTICIDE LOW ODOR FORMULATION

### FOR CONTROL OF INSECTS ON STORED CORN AND GRAIN SORGHUM (Including Bulk or Bagged Seed)

### ACTIVE INGREDIENT:

| Pirimiphos-methyl   |      |
|---|------|
| ()-(2-(diethylamino)-6-methyl-4-pyrimidinyl)0.0-dimethyl phosphorothioate | 57%  |
| OTHER INGREDIENTS:  |      |
| TOTAL   | 100% |

Actellic 5E Insecticide contains 5 pounds active ingredient per gallon.

## KEEP OUT OF REACH OF CHILDREN DANGER/PELIGRO

Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted in detalle. (If you do not understand the label, find someone to explain it to you in detail.)

### FIRST AID

| If in eyes    | <ul> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> </ul> |
|---------------|---|
|               | Call a poison control center or doctor for treatment advice.  |
| If swallowed  | Call a poison control center or doctor immediately for treatment advice.  |
|               | Have person sip a glass of water if able to swallow.  |
|               | Do not induce vomiting unless told to do so by the poison control center or doctor.   |
|               | Do not give anything by mouth to an unconscious person.   |
| If on skin or | Take off contaminated clothing.   |
| clothing      | <ul> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> </ul>  |
|               | Call a poison control center or doctor for treatment advice.  |
| If inhaled    | Move person to fresh air.   |
|               | • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.   |
|               | Call a poison control center or doctor for further treatment advice.  |

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. HOTLINE NUMBER: In case of emergency call toll free 1-877-424-7452. NOTE TO PHYSICIAN: This product contains an organophosphate. Pirimiphos-methyl is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate significance of exposure (baseline data are useful). Give 2 mg. of atropine intramuscularly or subcutaneously and repeat if symptoms of poisoning reappear. Pralidoxime (2 PAM) may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe poisoning, use antidote immediately after establishing an open airway and respiration. Actellic 5E Insecticide contains petroleum distillate. Vomiting may cause aspiration pneumonia.

See side panel for additional precautionary statements.

| EPA Reg. | No. | 1381-170 |
|----------|-----|----------|
|----------|-----|----------|

EPA Est No.

Distributed By: Agriliance, LLC P.O. Box 64089 St. Paul, MN 55164-0089 www.agriliance.com

Net Contents
\_\_\_\_ Gals.

0/A05/7

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Wear protective eyewear (goggles or face shield) when handling. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are barrier laminate or viton. If you want more options, follow the instructions for category G on an EPA chemical-resistant category selection chart.

Mixers, loaders, and other handlers supporting admixture seed and/or grain treatments must wear:

Long sleeve shirt and long pants

Shoes plus socks

Chemical-resistant gloves

Protective eyewear

See engineering controls for additional requirements.

All other mixers, loaders, applicators and other handlers must wear:

Coveralls over long sleeve shirt and long pants

Chemical-resistant footwear plus socks

Chemical-resistant gloves

Protective evewear

In addition, mixers and loaders must wear:

Chemical-resistant apron

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

### **User Safety Recommendations**

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticides get inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### ENGINEERING CONTROLS (For products marketed in containers greater than 64 fluid oz. in size):

For all seed and/or grain treatments, handlers must use a closed system/loading system designed by the manufacturer to enclose the pesticide in a manner that prevents it from contacting handlers. This product is formulated in a container designed for closed mixing and loading. In addition:

- handlers must wear the PPE specified for handlers supporting admixture seed and/or grain treatment.
- handlers must have available to them in case of accident or spill: eoveralls and chemical resistant footwear.
- handlers must wear protective evewear.

### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of waste. In case of a significant spill, call CHEMTREC (800) 424-9300.

### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

**STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents. Keep container closed when not in use.

**PESTICIDE DISPOSAL:** Pesticides are acutely toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

### CONTAINER DISPOSAL:

**Metal Containers**: Triple rinse(or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by State and local authorities.

**Plastic Containers**: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### APPLICATION DIRECTIONS

### ADMIXTURE OR TOP DRESSING (Only ONE application method may be used per load.)

The best practice to protect stored corn and grain sorghum from insect infestation is to use an admixture treatment of Actellic 5E Insecticide. However, as it may not always be possible to move grain, a surface treatment of Actellic 5E Insecticide will help prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn or grain sorghum. But within your current stored grain management system, it will help protect the surface from invasion by insects.

Notice: Either treatment should only be used if the corn or grain sorghum has not previously received an application of Actellic 5E Insecticide.

### ADMIXTURE TREATMENT

Apply spray solution uniformly with suitable application equipment as grain enters storage or export containers. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of Actellic 5E Insecticide in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low pressure spray in order to minimize drift. Shield nozzle if necessary. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates.

|   | Fluid Ounces       | ppm Concentration    |
|---|--------------------|----------------------|
| Shelled Corn (field corn, seed corn, popcorn) | 9.2-12.3           | 6-8                  |
| Grain Sorghum                                 | 9.2-12.3           | 6-8                  |
| Grain   | No. of Bushels App | proximately Equal to |
| _   | 30 Tons            | of Grain             |
| Shelled Corn (field corn, seed corn, popcorn) | 1.                 | 071                  |
| Grain Sorghum                                 | 1,                 | 07 l                 |

#### TOP DRESSING TREATMENT

To each 1,000 square feet of grain surface, apply 3 fluid ounces of Actellic 5E Insecticide diluted in 2 gallons of water. The treatment should be split as follows: Spray half of the mixture evenly over the surface and rake into the grain to a depth of 4 inches. Apply the remaining half of the mixture (1 gallon) to the raked surface.

Before making a surface application of Actellic 5E Insecticide, it will be necessary to remove any webbing and break up crusting that exists on the grain surface. If high numbers of Indian Meal Moth worms (2-3 per sq ft) exist, it will be best to remove the webbing, furnigate, and then apply Actellic 5E Insecticide as a surface application. Mix the following amount of Actellic 5E Insecticide with 2 gallons of water for a total mixture to treat 1,000 sq ft of grain surface:

|                  | Fluid Ounces | ppm Concentration |
|------------------|--------------|-------------------|
| Corn and Sorghum | 3.0          | 8                 |

INSECTS CONTROLLED WITH ACTELLIC 5E INSECTICIDE

| C                     | OLEOPTERA             | LEPIDOPTERA          |  |
|-----------------------|-----------------------|----------------------|--|
| Cigarette beetle      | Maize weevil          | Almond moth          |  |
| Confused flour beetle | Merchant grain beetle | Angoumois grain moth |  |
| Corn sap beetle       | Red flour beetle      | Indian meal moth     |  |
| Flat grain beetle     | Rice weevil           |                      |  |
| Granary weevil        | Sawtoothed beetle     |                      |  |
| Hairy fungus beetle   |                       |                      |  |

### REMARKS AND PRECAUTIONS

Grains treated with Actellic 5E Insecticide at rates indicated on this label may be used immediately for any food or feed purpose.

Do not make more than one application per crop. Only treat corn or sorghum which has not previously been treated with any pirimiphos-methyl containing product.

Calibrate spray equipment and periodically check in order to ensure proper spray rates.

Do not store diluted Actellic 5E Insecticide in spray tank more than 48 hours before use.

Avoid severely dusty application sites.

Applications of Actellic 5E Insecticide include stored bulk or bagged seed corn and sorghum grain.

Only to be used as grain enters storage or export containers. Not meant to be used for control of soil insects.

Do not enter treated areas or have contact with treated grain or seed until sprays have dried.

For further information, contact your local Agrillance dealer or representative.

### IMPORTANT INFORMATION READ BEFORE USING PRODUCT

### CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

**NOTICE**: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. The Directions for Use of this product reflect the opinion of experts based on field use and tests. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Agriliance, LLC or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of Agriliance, LLC and Seller. To the extent allowed by law, all such risks shall be assumed by

### Alice Walker, Ph.D.

### REGULATORY CONSULTING • 3094 COUNTRY CLUB ROAD • SENATOBIA, MS 38668

### **CERTIFIED MAIL**

January 15, 2007

Document Processing Desk (Amnd) Office of Pesticide Programs (7505P) U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, DC 20460

Attn: Ms. Joanne Edwards (Team 7)

Re: Actellic 5E (EPA Reg. No. 1381-170)

Pirimiphos-Methyl Technical (EPA Reg. No. 1381-171) In Response to Your Letters Dated December 13, 2006

In response to your December 13, 2006 instructions, we have revised subject labels and enclose them here along with applications for pesticide amendment.

We trust you will find these labels satisfactory and in compliance with the requirements for amendment under FIFRA. If you should have any questions during your review, please do not hesitate to contact me.

Sincerely,

Alice Walker, Ph.D.

ilie Walker

Regulatory Agent

/aw

**Enclosures** 

cc: Gary Halvorson





### **ACTELLIC® 5E INSECTICDE**

### FOR CONTROL OF INSECTS ON STORED CORN AND GRAIN SORGHUM (Including Bulk or Bagged Seed)

| Pirimiphos-methyl                 |   | 570/                                |
|-----------------------------------|---|-------------------------------------|
|                                   | -6-methyl-4-pyrimidinyl)0,0-dimethyl phosphorothioa<br>ENTS:  |                                     |
| OTHER INGREDIE                    |   | AL                                  |
| ACTELLIC 5F INSI                  | ECTICIDE contains 5 pounds active ingredient per g  |                                     |
| , 10 10 00 1110                   |   |                                     |
|                                   | KEEP OUT OF REACH OF C  | HILDREN                             |
|                                   | DANGER  |                                     |
|                                   | FIRST AID   |                                     |
| If in eyes                        | <ul> <li>Hold eye open and rinse slowly and gently with</li> </ul>  |                                     |
|                                   | <ul> <li>Remove contact lenses, if present, after the fir eye.</li> </ul>   | st 5 minutes, then continue rinsing |
|                                   | Call a poison control center or doctor for treatr   | nent advice.                        |
| If swallowed                      | <ul> <li>Call a poison control center or doctor immedia</li> </ul>  |                                     |
|                                   | <ul> <li>Have person sip a glass of water if able to swa</li> </ul>   |                                     |
|                                   | <ul> <li>Do not induce vomiting unless told to do so by doctor.</li> </ul>  |                                     |
|                                   | <ul> <li>Do not give anything by mouth to an unconscient</li> </ul>   | ous person.                         |
| lf on skin or                     | <ul> <li>Take off contaminated clothing.</li> </ul>   | ·                                   |
| clothing                          | · Rinse skin immediately with plenty of water for   | 15-20 minutes.                      |
|                                   | · Call a poison control center or doctor for treatr   | nent advice.                        |
| If inhaled                        | <ul> <li>Move person to fresh air.</li> </ul>   |                                     |
|                                   | <ul> <li>If person is not breathing, call 911 or an ambu<br/>respiration, preferably mouth-to-mouth, if poss</li> </ul> |                                     |
|                                   | Call a poison control center or doctor for further  |                                     |
|                                   | container or label with you when calling a poison con TO PHYSICIAN: Inducing vomiting as first aid for th               | trol center or doctor, or going for |
|                                   | nemical pneumonia or pulmonary edema caused by  |                                     |
|                                   | should be induced only under professional supervisi   |                                     |
|                                   | bition. Give 2 mg. of atropine intramuscularly or sub   |                                     |
|                                   | ning reappear. Pralidoxime (2 PAM) may be given i   | f available. Give 1 gram            |
| intramuscularly or i              | intravenously and repeat as necessary.  |                                     |
| EPA Reg. No. 13                   | 881-170   | EPA Est No.                         |
| Agriliance, LLC<br>P.O. Box 64089 |   | Net Content<br>Gals.                |

St. Paul, MN 55164-0089

0/A13/2

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

Corrosive. Causes irreversible eye damage. Do not get in eyes or on clothing. Wear protective eyewear (goggles or face shield). Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category G on the EPA chemical-resistant category selection chart.

Mixers, and loaders and other handlers supporting admixture seed and/or grain treatments must wear:

- Long sleeve shirt and long pants
- Shoes plus socks
- Chemical resistant gloves such as barrier laminate or Viton
- Protective eyewear

See engineering controls for additional requirements.

All other mixers, loaders, applicators and other handlers must wear:

- · Coveralls over long sleeve shirt and long pants
- · Chemical resistant footwear, plus socks
- Chemical resistant gloves such as barrier laminate or Viton
- Protective eyewear

In addition, mixers and loaders must wear

Chemical resistant apron

#### USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

### **ENGINEERING CONTROLS**

- For all seed and/or grain treatments, handlers must use a closed mixing/loading system designed by the manufacturer to enclose the pesticide in a manner that prevents it from contacting handler. This product is formulated into a container designed for closed mixing and loading. In addition:
- > Handlers must wear the PPE specified above for handlers supporting admixture seed and/or grain treatment.
- > Handlers must have available to them in case of accident or spill: coveralls and chemical resistant footwear.

### **USER SAFETY RECOMMENDATIONS**

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticides get inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of waste.

### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

**STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

#### CONTAINER DISPOSAL:

Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

#### **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not enter treated areas or have contact with treated grain or seed until sprays have dried.

### General Precautions and Restrictions

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

Do not make more than one application per crop. Only treat corn or sorghum which has not previously been treated with any pirimiphos-methyl containing product.

[Containers 64 oz. or less] Do not use for admixture grain and seed treatments.

Do not allow this product to drift.

### INSECTS CONTROLLED WITH ACTELLIC 5E INSECTICIDE

|                       | MOLOTO COM MCELED MITTA | OTELLIO DE INQUOTOTO |
|-----------------------|-------------------------|----------------------|
|                       | COLEOPTERA              | LEPIDOPTERA          |
| Cigarette beetle      | Maize weevil            | Almond moth          |
| Confused flour beetle | Merchant grain beetle   | Angoumois grain moth |
| Corn sap beetle       | Red flour beetle        | Indian meal moth     |
| Flat grain beetle     | Rice weevil             |                      |
| Granary weevil        | Sawtoothed beetle       |                      |
| Hairy fungus beetle   |                         |                      |

### **GENERAL REMARKS AND PRECAUTIONS**

- Grains treated with Actellic 5E Insecticide at rates indicated on this label may be used immediately for any food or feed purpose.
- Do not store diluted Actellic 5E Insecticide in spray tank more than 48 hours before use.
- Calibrate spray equipment and periodically check in order to ensure proper spray rates.
- Avoid severely dusty application sites.
- Intended for storage insect control only. Not meant to be used for control of soil insects.

### APPLICATION DIRECTIONS FOR GRAIN STORAGE

### ADMIXTURE OR TOP DRESSING

(Only ONE application method may be used per load of stored corn, popcorn or sorghum grain)

The best practice to protect stored corn and grain sorghum from insect infestation is to use an admixture treatment of ACTELLIC 5E INSECTICIDE. However, as it may not always be possible to move grain, a surface treatment of ACTELLIC 5E INSECTICIDE will help control light existing infestation and prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn or grain sorghum. But within your current stored grain management system, it will help protect the surface from invasion by insects. If grain is already heavily infested prior to going into storage, fumigation should be used.

Notice: Either treatment should only be used if the corn or grain sorghum has not previously received an application of ACTELLIC 5E INSECTICIDE. To determine whether the crop has been previously treated call toll-free 1-800-677-6324 for a free analysis.

### ADMIXTURE TREATMENT

Apply spray solution uniformly with suitable application equipment as grain enters storage or export containers. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of ACTELLIC 5E INSECTICIDE in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low pressure spray in order to minimize drift. Shield nozzle if necessary. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates.

| 5   | Fluid Ounces                          | ppm Concentration |
|---|---------------------------------------|-------------------|
| Shelled Corn (field corn, seed corn, popcorn) | 9.2-12.3                              | 6-8               |
| Grain Sorghum                                 | 9.2-12.3                              | 6-8               |
| Grain Songhum                                 | No. of Bushels Approximately Equal to |                   |
|   | 30 Tons                               | of Grain          |
| Shelled Corn (field corn, seed corn, popcorn) | 1,071                                 |                   |
| Grain Sorghum                                 | 1,071                                 |                   |

### TOP DRESSING TREATMENT

To each 1,000 square feet of grain surface, apply 3 fluid ounces of Actellic 5E Insecticide diluted in 2 gallons of water. The treatment should be split as follows: Spray half of the mixture evenly over the surface and rake into the grain to a depth of 4 inches. Apply the remaining half of the mixture to the raked surface.

Before making a surface application of Actellic 5E Insecticide, it will be necessary to remove any webbing and break up crusting that exists on the grain surface. If high numbers of Indian Meal Moth worms (2-3 per sq ft) exist, it will be best to remove the webbing, fumigate, and then apply ACTELLIC 5E INSECTICIDE as a surface application. Mix the following amount of Actellic 5E Insecticide with 2 gallons of water for a total mixture to treat 1,000 sq ft of grain surface:

|                  | Fluid Ounces | ppm Concentration |
|------------------|--------------|-------------------|
| Corn and Sorghum | 3.0          | 8                 |

### APPLICATION DIRECTIONS FOR STRORED BULK OR BAGGED SEED\* (Corn, Popcorn & Sorghum)

\*Commercial Use Only on Seed conditioned, dyed and sold only for the purpose of planting.

### ADMIXTURE TREATMENT

Apply spray solution uniformly with suitable application equipment as grain enters storage or final treatment. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of Actellic 5E Insecticide in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low-pressure spray in enclosed systems only. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates.

|   | Fluid Ounces                          | ppm Concentration |
|---|---------------------------------------|-------------------|
| Shelled Corn (field corn, seed corn, popcorn) | 9.2-12.3                              | 6-8               |
| Grain Sorghum                                 | 9.2-12.3                              | 6-8               |
| Grain Baylucus                                | No. of Bushels Approximately Equal to |                   |
|   | 30 Tons                               | s of Grain        |
| Shelled Corn (field corn, seed corn, popcorn) | 1,                                    | 071               |
| Grain Sorghum                                 | 1,071                                 |                   |

#### **Notice of Warranty**

Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, NOR IS ANY REPRESENTATIVE OF SELLER AUTHORIZED TO MAKE ANY SUCH WARRANTY OR MODIFY THESE TERMS. This warranty does not extend to the storage, handling or use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to Seller, and Buyer assumes the risk of any such storage, handling or use. Seller shall not be responsible for incidental or consequential damages, if any, resulting from a breach of warranty.

Actellic® is a registered trademark of Syngenta Crop Protection

# 6/4/2001



### **ACTELLIC® 5E INSECTICDE**

ACCEPTED

Under the Federal Insecticide, Fungicide, and Redenticide Act, as amanded, for the pesticide registered under BPA Reg. No. 1381-170

### FOR CONTROL OF INSECTS ON STORED CORN AND GRAIN SORGHUM (Including Bulk or Bagged Seed)

| INERT INGRE  | DIENTS:TOTAL   |  | <u>43%</u><br>.106%                     |
|--|--|--|---|
| Actallic 5F Insec  | ticide contains 5 pounds active ingredient per gallon.   |  | * *                                     |
| )  | tionac contains a poerias delive ingredient per ganon.   | 5.0<br>5.0   |   |
|  | KEEP OUT OF REACH OF CHILDREN  | 1 + i<br>3 - 1<br>3 - 2 ) 1 1  |   |
|  | WARNING  | 32511 <sup>°</sup>   | , |
|  | FIRST AID  | w  | 1000                                    |
| If in eyes   | <ul> <li>Hold eye open and rinse slowly and gently with water for 15-20</li> <li>Remove contact lenses, if present, after the first 5 minutes, the eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>   |  | sing                                    |
| if swallowed   | <ul> <li>Call a poison control center or doctor immediately for treatment</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by the poison control doctor.</li> </ul>  | -  |   |
| f on skin or<br>clothing   | <ul> <li>Do not give anything by mouth to an unconscious person.</li> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>   |  |   |
| If inhaled   | <ul> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance, then give respiration, preferably mouth-to-mouth, if possible.</li> <li>Call a poison control center or doctor for further treatment advises.</li> </ul>   |  |   |
| treatment. NOT increased risk or solvent. Vomitir cholinesterase is symptoms of po | ct container or label with you when calling a poison control center or doc<br>E TO PHYSICIAN: Inducing vomiting as first aid for this substance may<br>f chemical pneumonia or pulmonary edema caused by aspiration of the<br>ag should be induced only under professional supervision. Atropine is a<br>philibition. Give 2 mg. of atropine intramuscularly or subcutaneously and<br>isoning reappear. Pralidoxime (2 PAM) may be given if available. Give<br>or intravenously and repeat as necessary. | ctor, or going<br>by result in<br>hydrocarbon<br>ntidotal for<br>d repeat if | for                                     |

See side panel for additional precautionary statements.

EPA Reg. No. 1381-170

EPA Est No. \_\_\_\_\_

Agriliance, LLC P.O. Box 64089 St. Paul, MN 55164-0089 Net Contents
Gals.
0/C26119

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

Causes eye irritation. Do not get in eyes. Wear goggles or face shield when handling.

Harmful if swallowed, inhaled, or absorbed through the skin. Avoid breathing vapors or spray mist. Keep container closed. Wear rubber gloves when handling concentrate.

Causes skin irritation. Do not get on skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

#### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water, or to areas where surface water is present or to intertidal zones below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of waste.

In case of a significant spill, call CHEMTREC (800) 424-9300.

### PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

### **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

**STORAGE:** Store in a cool place and protect from freezing. If accidentally frozen, reconstitute by gently warming to room temperature and thoroughly mixing contents. Keep container closed when not in use.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA begional Office for guidance.

### **CONTAINER DISPOSAL:**

**Metal Containers:** Triple rinse(or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, by other procedures approved by State and local authorities.

Plastic Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### **APPLICATION DIRECTIONS**

# ADMIXTURE OR TOP DRESSING (Only ONE application method may be used per load.)

The best practice to protect stored corn and grain sorghum from insect infestation is to use an admixture treatment of Actellic 5E Insecticide. However, as it may not always be possible to move grain, a surface treatment of Actellic 5E Insecticide will help prevent the establishment of migrating insects. The top dressing application will not substitute for a treatment of the entire amount of stored corn or grain sorghum. But within your current stored grain management system, it will help protect the surface from invasion by insects.

Notice: Either treatment should only be used if the corn or grain sorghum has not previously received an application of Actellic 5E Insecticide. To determine whether the crop has been previously treated, test a sample of the grain with a free test kit which can be obtained by calling 1-800-677-6324.

### ADMIXTURE TREATMENT

Apply spray solution uniformly with suitable application equipment as grain enters storage or export containers. Select nozzle size and operating pressure to adjust the application rate with flow of grain. Prepare desired dilution of Actellic 5E Insecticide in spray tank and mix well. Make sure spray solution stays mixed, especially in large holding tanks. Apply the spray solution as a coarse, uniform low pressure spray in order to minimize drift. Shield nozzle if necessary. Apply the specified amount of Actellic 5E Insecticide in 5 gallons of water or 3-5 gallons of at least twice refined soybean oil to each 30 tons (60,000 pounds) of grain according to the following rates.

|   | Fluid Ounces | ppm Concentration              |
|---|--------------|--------------------------------|
| Shelled Corn (field corn, seed corn, popcorn) | 9.2-12.3     | 6-8                            |
| Grain Sorghum                                 | 9.2-12.3     | 6-8                            |
| Grain   |              | proximately Equal to sof Grain |
| Shelled Corn (field corn, seed corn, popcorn) | 1,1          | 071                            |
| Frain Sorghum                                 | 1,           | 071                            |

#### TOP DRESSING TREATMENT

To each 1,000 square feet of grain surface, apply 3 fluid ounces of Actellic 5E Insecticide diluted in 2 gallons of water. The treatment should be split as follows: Spray half of the mixture evenly over the surface and rake into the grain to a depth of 4 inches. Apply the remaining half of the mixture (1 gallon) to the raked surface.

Before making a surface application of Actellic 5E Insecticide, it will be necessary to remove any webbing and break up crusting that exists on the grain surface. If high numbers of Indian Meal Moth worms (2-3 per sq ft) exist, it will be best to remove the webbing, fumigate, and then apply Actellic 5E Insecticide as a surface application. Mix the following amount of Actellic 5E Insecticide with 2 gallons of water for a total mixture to treat 1,000 sq ft of grain surface:

|                  | Fluid Ounces | ppm Concentration |
|------------------|--------------|-------------------|
| Corn and Sorghum | 3.0          | 8                 |

INSECTS CONTROLLED WITH ACTELLIC 5E INSECTICIDE

| )                     | OLEOPTERA             | LEPIDOPTERA          |  |
|-----------------------|-----------------------|----------------------|--|
| ſ"Ćigarette beetle    | Maize weevil          | Almond moth          |  |
| Confused flour beetle | Merchant grain beetle | Angoumois grain moth |  |
| Corn sap beetle       | Red flour beetle      | Indian meal moth     |  |
| Flat grain beetle     | Rice weevil           |                      |  |
| Granary weevil        | Sawtoothed beetle     |                      |  |
| Hairy fungus beetle   |                       |                      |  |

#### **REMARKS AND PRECAUTIONS**

- Grains treated with Actellic 5E Insecticide at rates indicated on this label may be used immediately for any food or feed purpose.
- Do not make more than one application per crop. Use free test kit to determine whether crop has been previously treated.
- Calibrate spray equipment and periodically check in order to ensure proper spray rates.
- Do not store diluted Actellic 5E Insecticide in spray tank more than 48 hours before use.
- Avoid severely dusty application sites.
- Applications of Actellic 5E Insecticide include stored bulk or bagged seed corn and sorghum grain.
- Intended for storage insect control only. Not meant to be used for control of soil insects.

4/4

### **Notice of Warranty**

Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, NOR IS ANY REPRESENTATIVE OF SELLER AUTHORIZED TO MAKE ANY SUCH WARRANTY OR MODIFY THESE TERMS. This warranty does not extend to the storage, handling or use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to Seller, and Buyer assumes the risk of any such storage, handling or use. Seller shall not be responsible for incidental or consequential damages, if any, resulting from a breach of warranty.

Actellic® is a registered trademark of Zeneca Limited.

#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

December 13, 2006

### **CERTIFIED MAIL**

Alice Walker Agriliance, LLC 481 Country Club Drive Senatobia, MS 38668

Subject: Actellic 5E Insecticide

EPA Reg. No. 1381-170

Status of Product Reregistration Label Corrections Required

Dear Ms. Walker,

The Agency has reviewed the product specific data submitted for EPA Reg. No. 1381-170 in response to the Pirimiphos-methyl RED Product Specific Data Call-In (label pin-punch date 1/16/03). The Agency has determined further label changes are necessary to bring the label into compliance with the RED requirements.

Changes are required to the label you submitted in response to the Product Specific Data Call-In. The comments below describe the changes required. Please revise the current label and submit five copies (one with the annotated changes from the current acceptable label) along with an EPA Form 8570-1 plus a cover letter. As you may have done previously, it would be helpful if you would include an electronic copy of the label on CD-ROM as described in the guidance found on the Agency's website at: <a href="http://www.epa.gov/oppfeadl\_eds\_esr\_guidance.htm#pilots">http://www.epa.gov/oppfeadl\_eds\_esr\_guidance.htm#pilots</a>

The Agency is providing you with 45 days from receipt of this letter to adequately address the deficiencies noted in this letter and submit the revised labeling. In the absence of these changes, the Agency does not believe that the product containing pirimiphos-methyl meet the standard for registration under FIFRA. Therefore, failure to adequately respond within the 45 day time frame may result in either a Notice of Intent to Suspend or a Notice of Intent to Cancel affecting the registration of the subject product(s), as appropriate. Copies of the Agency's

reviews are enclosed for your records.

The following revisions are required:

- The company's phone number must be placed on the label. As an alternative, you may add www.agriliance.com.
- The front panel signal word section must state DANGER/PELIGRO.
- The label must bear the spanish text "PELIGRO" "Si usted no entienda la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)"
- Under the **First Aid** section, add "HOTLINE NUMBER: In case of emergency call toll-free 1-877- 424-7452.
- Revise the **Hazards to Humans and Domestic Animals** to read:

### Hazards to Humans and Domestic Animals

DANGER. Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Wear protective eyewear (goggles or face shield) when handling. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

Revise the NOTE TO PHYSICIAN to read:

### NOTE TO PHYSICIAN

"This product contains an organophosphate. Pirimiphos-methyl is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate significance of exposure (baseline data are useful). Give 2 mg. of atropine intramuscularly or subcutaneously and repeat if symptoms of poisoning reappear. Pralidoxime (2 PAM) may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe poisoning, use antidote immediately after establishing an open airway and respiration. Actellic 5E Insecticide contains petroleum distillate. Vomiting may cause aspiration pneumonia."

• Delete all of the directions added to the label on page 5 under the heading:

APPLICATION DIRECTIONS FOR STORED BULK OR BAGGED SEED\* (Corn, Popcorn & Sorghum). You requested to add these directions for use in 2001, and we objected to them. See our letter dated December 12, 2001 (copy appended).

• The Notice of Warranty Statement must be revised, since it contains over broad



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

May 18, 2005

### MEMORANDUM:

Subject: **ACTELLIC 5E INSECTICIDE** 

EPA Reg. No.: 1381-170

SLN: WA900038

Re: PRB Preliminary Label assessment

Judy Loranger Ludy Kiral 12 5/18/65

Product Reregistration Branch From:

Special Review and Reregistration Division (7508C)

Lawrence Schnaubelt Lamare Salabour 5/17/05 Through

Product Reregistration Branch

Special Review and Reregistration Division (7508C)

To: Meredith Laws, Chief

> Insecticide-Rodenticide Branch Registration Division (7505C)

BACKGROUND: Agriliance, LLC has submitted 5 copies of draft labeling for the subject parent product and the SLN (WA900038) in its 8 month response to the Pirimiphos-methyl IRED. PRB has completed a preliminary assessment of the draft labeling. In its assessment, PRB has considered the following: 1) Labeling requirements specified in the Pirimiphos-methyl IRED; 2) Labeling specified or required in the Product Chemistry and Acute Toxicity Reviews for the subject product; and 3) Labeling requirements as specified in 40 CFR Part 156.10 and associated labeling policy documents such as the Label Review Manual or Pesticide Regulation Notices (PRNs). In addition, PRB has included recommendations to improve the comprehension and consistency of all product labels. A copy of this assessment may be accessed electronically on the Lan through the Q:Drive in Word Perfect. The path is q:\prb\label\001381/170.

NOTE: This preliminary assessment contains recommendations intended to assist Product Managers in their final review of the pesticide label. Product Managers are encouraged to use all or portions of this assessment and then apply their own knowledge of the subject product and the product's regulatory history (including comparison with existing stamped accepted labeling) to conduct a final review of the label. It is the responsibility of the PM to attain the necessary label improvements required for an amended product reregistration (final product reregistration cannot occur until the Agency completes its cumulative risk assessment of the organophosphate pesticides).

### **SUMMARY OF FINDINGS:**

### I RED Risk Mitigation:

The subject product label (parent product only) contain risk mitigation labeling requirements as specified in the IRED. (SLN labeling issues are addressed below in Section IV.)

### II Technical Review Requirements:

The subject product label does not contain the required labeling as specified in the acute toxicity review signed 2/10/03.

As per the acute toxicity review:

- This product meets the criterion for restricted use classification based on data that place it in Toxicity Category I for eye irritation.
- Revisions are needed to the signal word section.
- · Revisions are needed to the First Aid statements.
- PRB recommends additional text be added to the Note to Physician.
- The Hazards to Humans and Domestic Animals statements must be revised.

Refer to Appendix I for more details.

No label revisions are needed per the product chemistry review.

### III Other Labeling Requirements:

The subject product does not contain the required labeling as specified by 40 CFR Part 156.10. PR Notices and the Label Review Manual.

- PRB recommends that the company's phone number be placed on the label.
- The registrant should correct the typographical error on the top of Page 5.
- The warranty section needs revision.

Refer to Appendix I for more details.

### IV SLN

SLN WA900038 allows use on iris bulbs in Washington state. Appendix I-A of this assessment addresses the label deficiencies found on the SLN label that include:

- -The registrant for this SLN registration is a third party, Washington Bulb Co., Inc. It is PRB's understanding that it is RD's policy to no longer allow third party registrations for SLN registrations.
- -Revisions are needed to the PPE section, as required in the IRED.
- -An addition must be made to the Engineering Controls section.

### **RECOMMENDATIONS:**

The subject product requires revisions to parent product label to conform with the acute toxicity review, and Agency label policies; and to the SLN label to conform with the IRED. Once these revisions have been submitted and approved by the PM, PRB recommends that the subject product label be accepted for an amended product reregistration (final product reregistration cannot occur until the Agency completes its cumulative risk assessment of the organophosphate pesticides).

## Appendix I

# PRB Label Analysis

| Label Requirement                          | Acceptable | Not<br>Acceptable | Comments/Recommendations  |
|--|------------|-------------------|---|
| Restricted Use Pesticide                   |            | Х                 | This product meets the criterion for Restricted Use Classification based on data that place it in "Toxicity Category I for eye irritation. In lieu of classifying the product for restricted-use, the product manager may consider requiring alternative labeling such as face shield, goggles, safety glasses and/or gloves if the PM determines that such PPE will mitigate the identified hazards. |
| Product Name                               | X          |                   |   |
| Company Name and Information               | X          |                   | PRB recommends that the company's phone number be placed on the label.  See Appendix II for suggested placement   |
| Identification Numbers                     | Х          |                   |   |
| Net Contents                               | X          |                   |   |
| Ingredients Statement                      | X          |                   |   |
|  |            | Precaut           | ionary Statements   |
| KOROC                                      | X          |                   |   |
| Signal Word                                |            | х                 | Per the acute toxicity review dated 2/10/03, the signal word section must be revised to read:  DANGER PELIGRO   |
| General Heading "Precautionary Statements" | X          |                   |   |
| First Aid                                  |            | x                 | As per PR Notice 2001-1, the following hotline information should be added to the label:  "For additional information in case of emergency call toll free (Telephone Number).   |
|  |            |                   | See Appendix II for suggested placement.  |

| First aid (con't)  |          |                 | PRB recommends that the Note to Physician also include text that addresses the eye irritation concerns and the presence of a cholinesterase inhibitor and should include the following information:  -technical information on symptoms, -use of supportive treatments to maintain life functions, -medicine that will counteract the specific physiological effects of the pesticide, -company telephone number to specific medical personnel who can provide specialized medical advice.  Note to PM: Please also note that as per PR Notice 2001-1, registrants are encouraged to place the statements in a box.  Please see Appendix II for formatting and placement suggestions. |
|--|----------|-----------------|---|
|  |          |                 |   |
| Hazards to Human and<br>Domestic Animals<br>Heading<br>-Precautionary Statements |          | X               | As per the acute toxicity review, the Hazards to Humans and Domestic Animals statements must be modified as specified below:  "DANGER Corrosive. Causes irreversible eye damage. Harinful if swallowed. Do not get in eyes. Avoid contact with skin or clothing"  See Appendix II for suggested placement.  |
| -PPE   | х        |                 | Note to PM: PRB believes that chemical resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, or viton (Category F) are appropriate for this product. PRB has no objection to the registrant retaining the text allowing gloves made of barrier laminate or viton" if they believe these materials are appropriate.   |
| -Engineering Controls  | х        |                 |   |
| -User Safety<br>Requirements   | х        |                 |   |
| -User Safety<br>Recommendations  | х        |                 |   |
| Environmental Hazards  | x        | ^               |   |
| Physical and Chemical<br>Hazards   | х        |                 |   |
|  | Directio | ns for Use (FI) | FRA Text, WPS and Storage and Disposal)   |
| Header "Directions for<br>Use"   | х        |                 | See Appendix II for placement.  |
| Violation of Federal Law<br>Text   | х        | i               |   |
| WPS Text   | N/A      |                 |   |

|  |            | the top of Page 5 of the draft label. "STRORED" should be revised to read "STORED."  See Appendix II for suggested subheading and placement. |
|--|------------|--|
| Application Instructions   | x          | Note to PM: The registrant should correct the typographical error on   |
|  | Dire       | ction for Use (Application Instructions)   |
| General Precautions and Restrictions   | x          | See Appendix II for suggested placement.   |
| General Information<br>(non-site specific<br>information on uses,<br>pests, mixing and loading,<br>tank mixing, etc) | Х          | See Appendix II for suggested subheading and placement.  |
| Spray Drift Labeling   | N/A        |  |
| Chemigation/Prohibition  | N/A        |  |
|  | Directions | for Use (General Instructions and Information)   |
| Storage and Disposal   | X          |  |
| Non-WPS Text   | N/A        |  |

|  |   | Warranty Information  |
|--|---|---|
| Consistency with label instructions/not false and misleading | X | The "Notice of Warranty" statements contain language that negates or detracts from required label statements. For example, the phrase "Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use" imply that the Directions For Use cannot be safely followed by the user, or that some unspecified, label approved uses should be avoided, thereby detracting from the directions. The registrant must specify in the Directions For Use what are the "normal conditions of use" or what "abnormal conditions" should be avoided for the product to be " fit for the purposes stated in the Directions for Use" Alternatively, the registrant may delete the objectionable language.  The "Notice of Warranty" statements contain over broad statements concerning limitation of liability or immunity from liability ("Seller shall not be responsible for incidental or consequential damages, if any, resulting from a breach of warranty" and "This warranty does not extend to the storage, handling, or use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to Seller"), as well as purported buyer agreement to assume risk ("Buyer assumes the risk of any such storage, handling or use"). The registrant should be informed that such statements may misleading and may constitute misbranding under FIFRA. OGC has suggested that these statements be preceded by a qualifying phrase such as "To the extent allowable by State law," However, the guidance in Policy and Criteria Notice 2163.1 states that PM's will not, at this time, conduct a detailed review of such liability disclaimers or purported buyer agreement to assume risk; but will inform registrants that approval of the label with such statements should not be construed as a decision by the Agency that the language is not misleading and that the label language might eventually have to be |
|  |   | 2163.1 for further information.   |
|  |   | General Comments  |
| None   |   |   |

### Appendix II

# **Suggested Presentation of Label**

### RESTRICTED USE PESTICIDE

| Product Name                               |
|--|
| Ingredients                                |
| EPA Registration and Establishment Numbers |
| Company Name, Address, Phone Number        |
| Net Contents                               |
| KEEP OUT OF REACH OF CHILDREN              |

### SIGNAL WORD

|   | FIRST AID  |  |  |  |
|---|--|--|--|--|
| •Hold eye open and rinse slowly and gently with water for 15-20 minutes. •Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye •Call a poison control center or doctor for treatment advice. |  |  |  |  |
| IF SWALLOWED  | <ul> <li>Call poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul> |  |  |  |
| IF ON SKIN<br>OR ON CLOTHES   | •Take off contaminated clothing. •Rinse skin immediately with plenty of water for 15-20 minutes. •Call a poison control center or doctor for treatment advice.   |  |  |  |
|   | HOT LINE NUMBER  |  |  |  |
| <ol> <li>"In case of emergency call toll free number XXXXX."</li> <li>"Have the product container or label with you when calling a poison control center or doctor or going for treatment."</li> </ol>                          |  |  |  |  |
|   | NOTE TO PHYSICIAN  |  |  |  |

Insert a Note to Physician that addresses eye irritation and the presence of a cholinesterase inhibitor. The following statements are suggested types of information that may be inserted, if applicable:

- technical information on symptomatology;
- use of supportive treatments to maintain life functions;
- medicine that will counteract the specific physiological effects of the pesticide;
- company phone number to medical personnel who can provide specialized medical advice.

### PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

PPE

USER SAFETY REQUIREMENTS

ENGINEERING CONTROLS

USER SAFETY RECOMMENDATIONS

ENVIRONMENTAL HAZARDS

PHYSICAL AND CHEMICAL HAZARDS

### **DIRECTIONS FOR USE**

It is a Violation of Federal Law.....

STORAGE AND DISPOSAL

General Information (non-site-specific)

The list of insects controlled with Actellic 5E Insecticide may be moved to this section.

General Precautions and Restrictions

<u>APPLICATION INSTRUCTIONS (site-specific)</u>

### WARRANTY STATEMENT

### APPENDIX I-A

## PRB SLN LABEL ASSESSMENT FOR EPA SLN NO. WA900038

| LABEL REQUIREMENTS                                   | ACCEPTABLE | NOT<br>ACCEPTABLE | COMMENTS/RECOMMENDATIONS  |
|--|------------|-------------------|---|
| State where registration is valid                    | Х          |                   |   |
| SLN Directions for Use*                              | х          |                   |   |
| Product Name   | X          |                   |   |
| Name and Address of 24(c)<br>Registrant              | X          |                   |   |
| EPA Reg. No. (If applicable)                         | X          |                   |   |
| SLN Registration No.                                 | X          |                   |   |
| Statement prohibiting use inconsistent with label(s) | X          |                   |   |
|  |            | 'DIRECTIONS FO    | OR USE  |
| General Instructions and Information                 | N/A        |                   |   |
| General Precautions and Restrictions                 | X          |                   |   |
| Application Instructions                             | Х          |                   |   |
|  |            | GENERAL COM       | MENTS   |
| 3rd Party Registrant                                 |            | х                 | The registrant for this SLN registration is a third party, Washington Bulb Co., Inc. It is PRB's understanding that it is RD's policy to no longer allow third party registrations for SLN registrations. |

| LABEL REQUIREMENTS | ACCEPTABLE | NOT<br>ACCEPTABLE | COMMENTS/RECOMMENDATIONS  |
|--------------------|------------|-------------------|---|
| PPE                |            | X                 | Per the IRED(Page 32) the PPE section must be revised to read:  "Personal Protective Equipment (PPE)  Mixers, loaders, applicators and other handlers must wear:  Some materials that are chemical resistant to this product are barrier laminate, butyl rubber, nitrile rubber, or viton. If you want more options, follow the instructions for category F on an EPA chemical-resistant category selection chart.*  Mixer, loaders, applicators and other handlers must wear:  -Coveralls over long sleeved shirt and long pants, -Chemical resistant footwear plus socks, -Chemical resistant gloves,Chemical resistant apron (for mixers and loaders)."  Note to PM: PRB believes that chemical resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, or viton (category F) ar appropriate for this product. PRB has no objection to the registrant using the text "gloves made of barrier laminate or viton" [category G] used for the parent product, if it is believed that these materials are appropriate.  The text "In addition, handlers must wear coveralls over long sleeved shirt and pants, chemical resistant footwear plus socks, and chemical resistant gloves apparatus (SCBA) (MSHA/NIOSH approval number prefix TC-3F" must be revised and should be relocated to the engineering controls section described below. |

| LABEL REQUIREMENTS            | ACCEPTABLE | NOT<br>ACCEPTABLE | COMMENTS/RECOMMENDATIONS   |
|-------------------------------|------------|-------------------|--|
| Engineering Controls          |            | X                 | Per the IRED (Page 33), the text in bold type below must be added to Engineering Controls:  "Engineering Controls  Application must only be made with the use of a stationary o cart-mounted fogging device which, when activated, function automatically without an operator present. In addition:  Handlers must wear the following PPE:  -Coveralls over long sleeved shirt and long pants, -Chemical resistant footwear plus socks, -Chemical resistant gloves, In addition, mixers and loaders must wear chemical resistant apron. In addition to the above, -handlers must have available to them for use in case they must enter the area during treatment, or before ventilation requirements have been met: -chemical resistant headgear, and -a self-contained breathing apparatus (SCBA)(MSHA/NIOSH approval number prefix TC-3F)." |
| Entry Restrictions            | Х          |                   |  |
| Waiver of Liability Statement | N/A        |                   |  |



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

February 10, 2003

### MEMORANDUM:

Subject:

EPA Reg. No.: 1381-170/Actellic 5E Insecticide

DP Barcode: D288087

Case No.: 2535

From:

Marianne Lewis, Biologist

Product Reregistration Branch

Special Review and Reregistration Division (7508C)

To:

Venus Eagle-Kunst, CRM

Product Reregistration Branch

Special Review and Reregistration Division (7508C)

Applicant:

Agriliance, LLC

P.O. Box 64089

St. Paul, MN 55164-0089

### FORMULATION FROM EPA Reg. No. 1381-170 LABEL:

| 1 0111111111111111111111111111111111111                 |          |
|---|----------|
|   | % by wt. |
| Active Ingredient(s):                                   |          |
| Pirimiphos-methyl                                       |          |
| 0-(2-(diethylamino)-6-methyl-4-pyrimidinyl)0,0-dimethyl |          |
| phosphorothioate  | 57.0%    |
| Inert Ingredient(s):                                    | 43.0%    |
| Total   | 100.0%   |

BACKGROUND: In the 8 month response to the Pirimiphos-methyl RED, the registrant has submitted acute toxicity studies to support the reregistration of their product, EPA Reg. No. 1381-170. The MRID's are as follows: 458404-02 (81-1), 458404-03 (81-2) 458404-04 (81-3), 458404-05 (81-4), 458404-06 (81-5), 458404-07 (81-6). The studies were conducted by Product Safety Labs and the material used in the studies was the subject product.

### **RECOMMENDATIONS**:

• The acute toxicity studies submitted are acceptable to support the reregistration of EPA Reg. No. 1381-170.

The acute toxicity profile for EPA Reg. No. 1381-170 is currently:

| Acute Oral         | III            | Acceptable |
|--------------------|----------------|------------|
| Acute Dermal       | IV             | Acceptable |
| Acute Inhalation   | IV             | Acceptable |
| Primary Eye        | I              | Acceptable |
| Primary Dermal     | III            | Acceptable |
| Skin Sensitization | non sensitizer | Acceptable |

NOTE: The acute toxicity requirements have been satisfied for the subject product.

### DATA REVIEW FOR ACUTE ORAL TOXICITY (§81-1, 870.1100)

**Product Manager:** Meredith Laws, 04

MRID No.: 458404-02

Reviewer: Marianne Lewis Study Completion Date: 1/7/03

Classification: Acceptable

**Report No.: 12784** 

Testing Facility: Product Safety Labs

Author: D.Merkel

Quality Assurance (40 CFR §160.12): Included

Test Material: Actellic 5E Insecticide, EPA Reg. No. 1381-170, amber liquid

Method: Up and Down Procedure

Species: Sprague-Dawley albino rat

Age: young adult

Weight: females = 165 - 190 g Source: Ace Animals, Inc.

### Conclusion:

1.  $LD_{50}$  (mg/kg): >2000 mg/kg

2. Tox. Category: III

Procedure (Deviations from §81-1): none

#### Results:

|                | Number | Deaths/Number Tested |          |
|----------------|--------|----------------------|----------|
| Dosage (mg/kg) | Males  | Females              | Combined |
| 2000           | N/A    | 1/5                  | N/A      |

**Method:** All of the test animals were fasted overnight prior to the administration of the test substance. The initial animal tested was given the test material using a stainless steel ball-tipped gavage needle attached to the appropriate syringe. The feed was replaced approx. 3 to 3.5 hours after dosing. Based on the survival of the first animal in the 24 to 48 hour period following dosing, four more animals were dosed in sequence at a dose level of 2,000 mg/kg. The test animals were observed for 14 days after dosing.

**Observations**: Clinical signs in the survivors: 4/4 ano-gential staining. Decedent displayed anogenital staining, hypoactivity, prone position, death within 24 hours.

**Gross Necropsy**: Survivors had no gross abnormalities. The decedent had moderately red lungs and black-red intestines.

### DATA REVIEW FOR ACUTE DERMAL TOXICITY (§81-2, 870.1100)

**Product Manager:** Meredith Laws, 04

MRID No.: 458404-03

Reviewer: Marianne Lewis Study Completion Date: 1/7/03

**Report No.:** 12785

Testing Facility: Product Safety Labs

Author: D.Merkel

Quality Assurance (40 CFR §160.12): Included

Test Material: Actellic 5E Insecticide, EPA Reg. No. 1381-170, amber liquid

Species: Sprague-Dawley derived albino rat

**Weight**: males = 230 - 264 g; females = 192 - 215 g

Age: young adult

Source: Ace Animals, Inc.

### Summary:

1.  $LD_{50}$  (mg/kg): >5000 mg/kg

2. Tox. Category: IV Classification: Acceptable

Procedure (Deviations From §81-2): none

### Results:

### **Reported Mortality**

|                | (numbe | r deaths/number tested) |          |
|----------------|--------|-------------------------|----------|
| DOSAGE (mg/kg) | Males  | Females                 | Combined |
| 5000           | 0/5    | 0/5                     | 0/10     |

**Observations**: Twenty four hours prior to application, the dorsal area and trunk of each animal was clipped free of hair. The test material was spread evenly over a dose area of approx. 2 x 3 inches (approx. 10% of the body surface) and covered with a 2 x 3 inch, 4-ply gauze pad. The pad and the entire trunk of each animal were wrapped with 3 inch Durapore tape. After 24 hours, the pads were removed and the sites wiped with water and a clean towel.

All animals survived, gained weight, and appeared active and healthy.

Gross Necropsy Findings: No gross abnormalities were noted.

### DATA REVIEW FOR ACUTE INHALATION TOXICITY TESTING (§81-3, 870.1300)

Product Manager: Meredith Laws, 04

MRID No.: 458404-04

Reviewer: Marianne Lewis Study Completion Date: 1/7/03

**Report No.**: 12786

Testing Facility: Product Safety Labs

Author: D.Merkel

Quality Assurance (40 CFR §160.12): Included

Test Material: Actellic 5E Insecticide, EPA Reg. No. 1381-170, amber liquid

Species: Sprague-Dawley derived albino rat

Weight: males = 280 - 321 g; females = 216 - 231 g

Age: young adult

Source: Ace Animals, Inc.

### Summary:

1.  $LC_{50}$  (mg/L): > 2.02 mg/L

2. MMAD:

**GSD:** 1.80

3. Tox. Category: IV

Classification: Acceptable

Procedure (Deviation From §81-3): none

Results:

Reported Mortality

|                        | (Number Deaths/Number Tested) |         |          |  |
|------------------------|-------------------------------|---------|----------|--|
| Exposure Concentration | Males                         | Females | Combined |  |
| 2.02 mg/L              | 0/5                           | 0/5     | 0/10     |  |

| C          | hamber Atmospher | е    |
|------------|------------------|------|
| Dose Level | MMAD             | GSD  |
| 2.02 mg/L  | 2.9 µm           | 1.80 |

|                       | Dose levels |  |  |
|-----------------------|-------------|--|--|
| Chamber Environment   | 2.02 mg/L   |  |  |
| Chamber Volume        | 150 L       |  |  |
| Airflow               | 45.7 Lpm    |  |  |
| Temperature (°C)      | 21 - 23     |  |  |
| Relative Humidity (%) | 45 - 80     |  |  |

**Clinical Observations**: Upon removal from chamber: 5/10 hypoactive, 1/10 irregular respiration. From day 1 to the end of the study all test animals were active and healthy.

Gross Necropsy Findings: No gross abnormalities were noted.

### DATA REVIEW FOR PRIMARY EYE IRRITATION TESTING (§81-4, 870.2400)

**Product Manager:** Meredith Laws, 04

MRID No.: 458404-05

Reviewer: Marianne Lewis Study Completion Date: 1/7/03

**Report No.:** 12787

Testing Facility: Product Safety Labs

Author: D.Merkel

Quality Assurance (40 CFR §160.12): Included

Test Material: Actellic 5E Insecticide, EPA Reg. No. 1381-170, amber liquid

Dosage: 0.1 ml

Species: New Zealand albino rabbit

Sex: 2 males, 1 female

Weight: not given

Age: young adult

Source: Millbrook Breeding Labs

### Summary:

1. Toxicity Category: I

2. Classification: Acceptable

Procedure (Deviations From §81-4): none

### Results:

|                 |              |     | (nı | ımber " | positive | e"/numl | er teste | d)  |     |     |
|-----------------|--------------|-----|-----|---------|----------|---------|----------|-----|-----|-----|
| OBSERVATIONS    | Hour         | 'S  |     |         | Days     |         |          |     |     |     |
|                 | 1            | 24  | 48  | 72      | 4        | 7       | 10       | 15  | 17  | 21  |
| Corneal Opacity | 0/3          | 3/3 | 3/3 | 3/3     | 3/3      | 3/3     | 2/3      | 2/3 | 2/3 | 2/3 |
| Iris            | 3/3          | 3/3 | 3/3 | 3/3     | 3/3      | 2/3     | 1/3      | 1/3 | 1/3 | 0/3 |
|                 | Conjunctivae |     |     |         |          |         |          |     |     |     |
| Redness         | 3/3          | 3/3 | 3/3 | 3/3     | 3/3      | 2/3     | 2/3      | 0/3 | 0/3 | 0/3 |
| Chemosis        | 3/3          | 3/3 | 3/3 | 3/3     | 0/3      | 0/3     | 0/3      | 0/3 | 0/3 | 0/3 |
| Discharge       | 3/3          | 3/3 | 3/3 | 3/3     | 0/3      | 0/3     | 0/3      | 0/3 | 0/3 | 0/3 |

Opacity: From 24 to 72 hours 3/3 had scattered or diffuse areas of opacity. On day 4, 2/3 had scattered or diffuse areas of opacity and 1/3 had easily discernible translucent areas of opacity.

On day 7, 1/3 had scattered or diffuse areas of opacity and 1/3 had opalescent areas of opacity with no details of the iris visible. By day 10, 1/3 had scattered or diffuse areas of opacity and 1/3 had easily discernible translucent areas of opacity. From day 15 to the end of the study, 2/3 had scattered or diffuse areas of opacity.

Iris: From 1 hour to day 4, 3/3 had iritis. On day 7, 2/3 demonstrated iritis. From day 10 to day 17 1/3 demonstrated iritis.

Conjunctivae: At 1 hour, 2/3 had diffuse crimson red conjunctivae, 2/3 had obvious swelling with partial eversion of the lids, and 2/3 had discharge with moistening of lids and hairs just adjacent to lids. At 24 hours, 1/3 diffuse crimson red conjunctivae, 2/3 beefy red conjunctivae, 1/3 obvious swelling with partial eversion of lids, 2/3 swelling with lids about half closed, 3/3 discharge with moistening of lids and hairs & considerable area around eye. By 72 hours, 1/3 diffuse crimson red conjunctivae, 2/3 beefy red conjunctivae, 3/3 obvious swelling with partial eversion of lids, 1/3 discharge w/moistening of lids/hairs just adjacent to lids, and 2/3 discharge w/moistening of lids & hairs & considerable area around eye. On day 4, 3/3 diffuse crimson red conjunctivae. By day 7 through day 10, 2/3 diffuse crimson red conjunctivae. By day 15, all conjunctival irritation had cleared.

### DATA REVIEW FOR SKIN IRRITATION TESTING (§81-5, 870.2500)

Product Manager: Meredith Laws, 04

MRID No.: 458404-06

Reviewer: Marianne Lewis
Study Completion Date: 1/7/03

**Report No.**: 12788

Testing Facility: Product Safety Labs

Author: D.Merkel

Quality Assurance (40 CFR §160.12): Included

Test Material: Actellic 5E Insecticide, EPA Reg. No. 1381-170, amber liquid

Dosage: 0.5 ml

Species: New Zealand albino rabbit

Age: young adult

Sex: 2 males, 1 female

Weight: not stated

Source: Millbrook Breeding Labs

### **Summary:**

1. Toxicity Category: III

2. Classification: Acceptable

### Procedure (Deviations From §81-5): none

**Results:** Twenty four hours prior to application, the dorsal area and trunk of each test animal was clipped free of hair. The test material was applied to one 6 cm<sup>2</sup> intact dose site on each anima and covered with a 1 x 1 inch, 4-ply gauze pad. The pads and trunks were then wrapped with semi-occlusive 3 inch Micropore tape. After 4 hours, the pads and wrappings were removed and the test sites wiped with water and clean towels.

From 1 to 48 hours, 3/3 had well defined erythema. At 72 hours, 2/3 had well defined erythema. By day 7, 2/3 had very slight erythema and 2/3 exhibited desquamation. On day 10, all erythema had cleared but desquamation was still present in 2/3 test animals.

### DATA REVIEW FOR DERMAL SENSITIZATION TESTING (§81-6, 870.2600)

**Product Manager:** Meredith Laws, 04

Reviewer: Marianne Lewis MRID No.: 458404-07 Study Completion Date: 1/7/03

Report No.: 12789

Testing Facility: Product Safety Labs

Author: D.Merkel

Quality Assurance (40 CFR §160.12): Included

Test Material: Actellic 5E Insecticide, EPA Reg. No. 1381-170, amber liquid

Positive Control Material: HCA, historical study PSL Study #12371 8/15/02

Species: Hartley albino guinea pig Weight: females = 344 - 494 g

Age: young adult

Source: Elm Hill Breeding Labs

Method: Buehler

### Summary:

1. This Product is a non sensitizer

2. Classification: Acceptable

Procedure (Deviation From §81-6): none

**Procedure**: A group of animals were used to determine the highest non-irritating concentration (HNIC) of the test substance prior to the challenge dose. The HNIC for the test substance was determined to be 75% w/w solution in mineral oil.

The test animals were induced with 0.4 ml of 100% test material once a week for three weeks using a 25 mm Hill Top Chamber. Twenty four and 48 hours after each induction dose the animals were scored for irritation. Two weeks after the last induction dose, 0.4 ml of 75% w/w of the test material in mineral oil was used to challenge the test animals. Twenty four and 48 hours after the challenge the animals were evaluated for sensitization.

One group of 10 animals were used as naive control. These animals received only the challenge doses of the test material.

**Results**: Twenty four hours after the first induction dose for the test material-induced animals, 9/20 exhibited very faint erythema. After the second induction dose, 8/20 exhibited very faint erythema. After the third induction dose, 13/20 exhibited very faint erythema at the test site.

Twenty four hours after challenge, 8/20 test material-induced animals exhibited very faint erythema and at 48 hours no irritation was seen.

At 24 hours, in the naive control group of animals challenged with the test material, 3/10 exhibited very faint erythema.

### **ACUTE TOX ONE-LINER**

1. PC CODE: 108102

2. CURRENT DATE: February 6, 2003

3. TEST MATERIAL: Actellic 5E Insecticide, EPA Reg. No. 1381-170, amber liquid

Pirimiphos-methyl:57.0%

| Study/Species/<br>Lab/Study#/Date   | MRID#    | Results   | Tox.<br>Cat. | Core<br>Grade |
|---|----------|---|--------------|---------------|
| acute oral toxicity/rat/Product<br>Safety Labs/12784/1-7-03               | 45840402 | LD <sub>50</sub> > 2000 mg/kg   | III          | A             |
| acute dermal toxicity/rat/<br>Product Safety Labs/12785/<br>1-7-03        | 45840403 | LD <sub>50</sub> > 5000 mg/kg   | IV           | A             |
| acute inhalation toxicity/rat/<br>Product Safety Labs/12786/<br>1-7-03    | 45840404 | $LC_{50} > 2.02 \text{ mg/L}$<br>$MMAD = 2.9 \mu\text{m}; GSD = 1.80$   | IV           | A             |
| primary eye irritation/rabbit/<br>Product Safety Labs/12787/<br>1-7-03    | 45840405 | Opacity: From 24 - 72 hrs 3/3 scattered/diffuse areas of opacity. On day 4, 2/3 scattered/diffuse areas of opacity & 1/3 easily discernible translucent areas of opacity. On day 7, 1/3 scattered/diffuse areas of opacity & 1/3 opalescent areas of opacity w/no details of the iris visible. By day 10, 1/3 scattered or diffuse areas of opacity & 1/3 easily discernible translucent areas of opacity. From day 15 to end of study, 2/3 scattered/diffuse areas of opacity. | I            | A             |
| primary dermal irritation/<br>rabbit/Product Safety Labs/<br>12788/1-7-03 | 45840406 | From 1 to 48 hrs, 3/3 well defined erythema. At 72 hrs, 2/3 well defined erythema. By day 7, 2/3 very slight erythema & 2/3 desquamation. On day 10, all erythema had cleared but desquamation was still present in 2/3.  | III          | A             |
| skin sensitization/guinea pig/<br>Product Safety Labs/12789/<br>1-7-03    | 45840407 | non sensitizer  |              | A             |

Core Grade Key: A = Acceptable; S = Supplementary; U = Unacceptable, V = self-Validated

### LABELING:

**ID** #: 001381-00170

**ACTELLIC 5E INSECTICIDE** 

### RESTRICTED USE CLASSIFICATION RECOMMENDED:

Due to primary eye irritation toxicity category.

The PM Team should decide if restricted use classification is necessary or if alternative labeling will allay the requirement for restricted use classification.

SIGNAL WORD:

DANGER

**PELIGRO** 

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS:

Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Avoid contact with skin or clothing. Wear long-sleeved shirt and long pants, socks and shoes, protective eyewear (goggles, face shield, or safety glasses), and chemical resistant gloves (such as barrier laminate, butyl rubber, nitrile rubber, viton, selection category F\*). Wash thoroughly with soap and water after handling.

\*If the selection category F gloves do not provide adequate protection for this product, the registrant should indicate a specific glove category from the EPA chemical resistance glove selection chart that will provide adequate protection.

### FIRST AID:

IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-xxx-xxxx for emergency medical treatment information.

### **USER SAFETY RECOMMENDATIONS:**

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

Users should remove contaminated clothing and wash clothing before reuse.

### Note to CRM/PM/Registrant:

The proposed label should contain a Note to Physician which addresses the category I primary eye irritation toxicity and the presence of a cholinesterase inhibitor. The following statements are some suggested types of information that could be included, if applicable, in the Note to Physicians:

- technical information on symptomatology;
- use of supportive treatments to maintain life functions;
- medicine that will counteract the specific physiological effects of the pesticide;
- company telephone number to specific medical personnel who can provide specialized medical advice.

### DATE OUT: 13/FEB/03

SUBJECT: PRODUCT CHEMISTRY REVIEW OF: TGAI [], MUP [], EUP [x]

BARCODE No.: D288085 EPA RECEIVED DATE: 01/16/03 Reg./File Symbol No.: 1381-170

MRIDs: 458404-01 PRODUCT NAME: Actellic 5E Insecticide

Action Code: 674 COMPANY NAME: Agriliance, Inc.

Maria Rivera Piansay, Chemist Levis four Francisco Product Chemistry Team FROM:

PRB/SRRD (7508C)

Venus Eagle-Kunst, CRM TO:

Product Reregistration Branch

Special Review and Reregistration Division (7508C)

### INTRODUCTION:

With this submission, Agrilliance, Inc. provided a CSF for the basic formulation dated 01/06/03, a draft label dated 01/16/03, product chemistry data (MRID number 458404-01) and a data matrix dated 01/13/03. The registrant is requesting FIFRA Section 4 reregistration of Actellic 5E Insecticide, EPA Reg. No. 1381-170.

An Interim Reregistration Eligibility Decision (IRED), Case number 2535, was issued in April 10, 2002 for the Technical Grade Active Ingredient (TGAI) Pirimiphos-Methyl: O-(2-(diethylamino)-6-methyl-4pyrimidinyl)O,O-dimethyl phosphorothioate. The generic data base supporting the reregistration of Pirimiphosmethyl has been reviewed and found to be substantially complete.

### FINDINGS:

- 1. The CSF for the basic formulation dated 01/06/03 is acceptable as presented. The nominal concentration of the active ingredient agrees with that on the label, meeting PR Notice 91-2. The certified limits on the active and the inert ingredients comply with the requirements of 40 CFR 158.175(b)(2). All ingredients listed on the CSF are cleared for use in the formulation of pesticides.
- Except for the data gaps noted in Finding 3, all product chemistry data submitted in the Data Matrix and 2. MRID number 458404-01 satisfy the Group A and Group B series guideline requirements which pertain to Product Identity, Composition and Analysis and Physical and Chemical Properties, respectively.
- The registrant has indicated in the Data Matrix dated 01/13/03 that they are currently conducting the 3. Storage Stability and Corrosion Characteristics studies for the subject product. Until the data are submitted for review, Storage Stability and Corrosion Characteristics are cited as data gaps.
- 4. The product chemistry aspects of the labeling are acceptable. The Ingredients statement, The Physical and Chemical Hazards statement and the Storage and Disposal statement are all acceptable as per 40 CFR 156.10(g), PR Notice 91-2, 40 CFR 156.10(h)(2)(iii) and 40 CFR 156.10(i)(2)(ix).

### **CONCLUSIONS:**

Except for Storage Stability and Corrosion Characteristics, the registrant has satisfied product chemistry data requirements for the reregistration of Actellic 5E Insecticide, EPA Reg. No. 1381-170.

### **REVIEW OF PRODUCT CHEMISTRY DATA:**

PRODUCT NAME: Actellic 5E Insecticide EPA Reg. No: 1381-170 Group A: Series 830-Product Identity, Composition, and Analysis (40 CFR158.155, .160, .165, .167, .170, .175 & .180).

### 830-1550 Product Identity and Composition

This product is produced by a non-integrated formulation system using a registered active ingredient source Pirimiphos-methyl Technical, EPA Reg. No. 1381-171, and has a label claim nominal concentration of 57% pirimiphos-methyl, with 43% other ingredients.

### 830-1600 Description of Materials Used to Produce the Product

Refer to Confidential Appendix A.

### 830-1620 Discussion of Formulation Process

Refer to Confidential Appendix A.

### 830-1670 Discussion of Formation of Impurities

Refer to Confidential Appendix A.

### 830-1700 Preliminary Analysis

Refer to Confidential Appendix A

### 830-1750 <u>Certified Limits</u>

Refer to Confidential Appendix A.

### 830-1800 Enforcement of Analytical Method

Methods of analysis for primiphos-methyl and its impurities have been previously reviewed and accepted in connection with reregistration for case number 2535. Pirimiphos-methyl may be determined by Gasliquid chromatography, Agrilliance method "Determination of Pirimiphos-Methyl by Internal Standard Gas Liquid Chromatography" (MRID number 458404-01). The octadecane internal standard (dissolved in methylene chloride) is added to pirimiphos-methyl samples.  $1\mu$ L aliquot is injected into a gas chromatograph equipped with a flame ionization detector, and the areas of the peaks obtained at the retention times of octadecane and pyrimiphos-methyl are measured with a computing integrator. These areas are used to calculate the pirimiphos-methyl content of the samples based upon a response factor obtained using known amounts of pure pirimiphos-methyl and octadecane. Sample calculations were included. This method has been previously validated and is determined to be adequate in the determination of pirimiphos-methyl in pesticide samples.

Group B: Series 830- Physical and Chemical Properties (40 CFR 158.190): MRID No.: Data Matrix dated 01/13/03

| GUIDELINE REFERENCE NO.<br>(GRN)/ TITLE 830            | VALUE OR QUALITATIVE DESCRIPTION/<br>METHOD(S) USED WHERE APPLICABLE<br>AND REFERENCES                         |
|--|--|
| -6302 Color  | Amber  |
| -6303 Physical State                                   | Liquid   |
| -6304 Odor   | Petroleum solvent  |
| -6314 Oxidation/Reduction:<br>Chemical Incompatibility | "N/A - Product does not contain an oxidizing or reducing agent or functional group of significant reactivity." |
| -6315 Flammability/Flame Extension                     | 149.5°F (65.3°C)   |
| -6316 Explodability                                    | "N/A"  |
| -6317 Storage Stability                                | "A one year storage stability is being conducted." (Data gap)  |
| -6319 Miscibility                                      | Not applicable; product is not labeled to be diluted with petroleum solvents.                                  |
| -6320 Corrosion Characterisitics                       | "To be determined by storage stability study conducted in commercial packaging. None expected. (Data gap)      |
| -6321 Dielectric Breakdown Voltage                     | "N/A - Product not intended for use around electrical equipment."  |
| -7000 pH   | 5.84 - 1% aqueous solution   |
| -7100 Viscosity  | 14.347 @ 20°C; 6.940 @ 40°C  |
| -7300 Density/Relative Density/Bulk                    | Specific gravity - 1.04  |

4

### Confidential Appendix A

### 830-1600 Description of Materials Used to Produce the Product

The materials used in the formulation of this product are listed in the CSF dated 01/06/03.

### 830-1650 <u>Description of Production Process</u>



### 830-1670 Discussion of Formation of Impurities

"No impurities other than those typically present in the technical grade active ingredient can reasonably be expected. The manufacturing process for production of the end-use product does not involve any chemical reactions nor is it produced by an integrated formulation system. Based on the results of exploratory chemical stability testing there is no indication of any post-production reactions."

### 830-1700 Preliminary Analysis

Not required for products produced by a non-integrated system.

### 830-1750 Certified Limits

Pirimiphos-Methyl: Lower Limit: 55.29%; Nominal Conc.: 57.00%; Upper Limit: 58.71%

M.R. Piansay and Central File (EPA Reg. No. 1381-170) 7508C:SRRD:PRB:CM-2: M.R.P.: (13/FEB/03):703-308-8063:<1381-170>

### THIS REVIEW CONTAINS FIFRA CBI

### DATE OUT: 31/DEC/03

SUBJECT: PRODUCT CHEMISTRY REVIEW OF: TGAI []; MUP [x]; EUP []

BARCODE No.: 296750 EPA RECEIVED DATE: 11/10/03 Reg./File Symbol No.: 1381-170
PRODUCT NAME: Actellic 5E Insecticide MRID No.: 461180-01

COMPANY NAME: Agriliance, Inc. Action Code: 675

FROM:

Maria Rivera Piansay, Chemist

Product Chemistry Team PRB/SRRD (7508C)

TO:

Venus Eagle-Kunst, CRM

Product Reregistration Branch

Special Review and Reregistration Division (7508C)

### **INTRODUCTION:**

In response to a previous product chemistry review by PRB/SRRD (M. Piansay, 02/13/03), the registrant submitted additional product chemistry data in support of the FIFRA Section 4 reregistration of **Actellic 5E Insecticide**, EPA Reg. No. 1381-170.

### **FINDINGS**:

In the previous review, Storage Stability and Corrosion Characteristics were cited as data gaps. The currently submitted MRID number 461180-01 contains acceptable data on Storage Stability and Corrosion Characteristics. In this study, two samples of the product were packaged in 28 ounce HDPE containers and put into storage for one year (at ambient laboratory conditions) following an initial analysis of the active ingredient. The percentage of Pirimiphos-methyl was determined in both samples by GLC at 3, 6, 9 and 12 months of storage. A reference standard was used to generate a calibration curve and linearity, accuracy, precision and recovery were also evaluated to ensure performance of the method. Visual examination of the containers were conducted after 12 months of storage. The results of the study are as follows:

| Time      | Pirimiphos-methyl Mean ± SD ((%) |
|-----------|----------------------------------|
| Initial   | $58.3 \pm 0.31$                  |
| 3 months  | $57.3 \pm 0.60$                  |
| 6 months  | $57.8 \pm 1.18$                  |
| 9 months  | $58.2 \pm 0.27$                  |
| 12 months | $58.2 \pm 0.29$                  |

No physical changes to the test substance and its containers were observed throughout the one-year study period.

### **CONCLUSIONS:**

The submitted data on Storage Stability and Corrosion Characteristics of the product are acceptable and the registrant has now satisfied the product chemistry data requirements for the reregistration of EPA Reg. No. 1381-170.

M.R. Piansay and Central File (EPA Reg. No. 1381-170) 7508C:SRRD:PRB:CM-2: M.R.P.: (31/DEC/03):703-308-8063:<1381-170>



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

May 18, 2005

MEMORANDUM:

Subject:

**ACTELLIC 5E INSECTICIDE** 

EPA Reg. No.: 1381-170

SLN: WA900038

Re: PRB Preliminary Label assessment

From:

Judy horasin 5/18/05 Product Reregistration Branch

Special Review and Reregistration Division (7508C)

Through

Lawrence Schnaubelt Lamere Solution 5/17/05-

Product Reregistration Branch

Special Review and Reregistration Division (7508C)

To:

Meredith Laws, Chief

Insecticide-Rodenticide Branch Registration Division (7505C)

BACKGROUND: Agriliance, LLC has submitted 5 copies of draft labeling for the subject parent product and the SLN (WA900038) in its 8 month response to the Pirimiphos-methyl IRED. PRB has completed a preliminary assessment of the draft labeling. In its assessment, PRB has considered the following: 1) Labeling requirements specified in the Pirimiphos-methyl IRED; 2) Labeling specified or required in the Product Chemistry and Acute Toxicity Reviews for the subject product; and 3) Labeling requirements as specified in 40 CFR Part 156.10 and associated labeling policy documents such as the Label Review Manual or Pesticide Regulation Notices (PRNs). In addition, PRB has included recommendations to improve the comprehension and consistency of all product labels. A copy of this assessment may be accessed electronically on the Lan through the Q:Drive in Word Perfect. The path is q:\prb\label\001381/170.

NOTE: This preliminary assessment contains recommendations intended to assist Product Managers in their final review of the pesticide label. Product Managers are encouraged to use all or portions of this assessment and then apply their own knowledge of the subject product and the product's regulatory history (including comparison with existing stamped accepted labeling) to conduct a final review of the label. It is the responsibility of the PM to attain the necessary label improvements required for an amended product reregistration (final product reregistration cannot occur until the Agency completes its cumulative risk assessment of the organophosphate pesticides).

#### **SUMMARY OF FINDINGS:**

## I RED Risk Mitigation:

The subject product label (parent product only) contain risk mitigation labeling requirements as specified in the IRED. (SLN labeling issues are addressed below in Section IV.)

### II Technical Review Requirements:

The subject product label does not contain the required labeling as specified in the acute toxicity review signed 2/10/03.

As per the acute toxicity review:

- This product meets the criterion for restricted use classification based on data that place it in Toxicity Category I for eye irritation.
- · Revisions are needed to the signal word section.
- Revisions are needed to the First Aid statements.
- PRB recommends additional text be added to the Note to Physician.
- The Hazards to Humans and Domestic Animals statements must be revised.

Refer to Appendix 1 for more details.

No label revisions are needed per the product chemistry review.

### III Other Labeling Requirements:

The subject product does not contain the required labeling as specified by 40 CFR Part 156.10, PR Notices and the Label Review Manual.

- PRB recommends that the company's phone number be placed on the label.
- The registrant should correct the typographical error on the top of Page 5.
- The warranty section needs revision.

Refer to Appendix I for more details.

#### IV SLN

SLN WA900038 allows use on iris bulbs in Washington state. Appendix I-A of this assessment addresses the label deficiencies found on the SLN label that include:

- -The registrant for this SLN registration is a third party, Washington Bulb Co., Inc. It is PRB's understanding that it is RD's policy to no longer allow third party registrations for SLN registrations.
- -Revisions are needed to the PPE section, as required in the IRED.
- -An addition must be made to the Engineering Controls section.

### **RECOMMENDATIONS:**

The subject product requires revisions to parent product label to conform with the acute toxicity review, and Agency label policies; and to the SLN label to conform with the IRED. Once these revisions have been submitted and approved by the PM, PRB recommends that the subject product label be accepted for an amended product reregistration (final product reregistration cannot occur until the Agency completes its cumulative risk assessment of the organophosphate pesticides).

## Appendix I

## PRB Label Analysis

| Label Requirement                          | Acceptable | Not<br>Acceptable | Comments/Recommendations  |
|--|------------|-------------------|---|
| Restricted Use Pesticide                   |            | х                 | This product meets the criterion for Restricted Use Classification based on data that place it in "Toxicity Category I for eye irritation. In lieu of classifying the product for restricted-use, the product manager may consider requiring alternative labeling such as face shield, goggles, safety glasses and/or gloves if the PM determines that such PPE will mitigate the identified hazards. |
| Product Name                               | X          |                   |   |
| Company Name and<br>Information            | Х          |                   | PRB recommends that the company's phone number be placed on the label.  See Appendix II for suggested placement   |
| Identification Numbers                     | x          |                   | Production  |
| Net Contents                               | X          |                   |   |
| Ingredients Statement                      | X          | -                 |   |
|  |            | Precaut           | ionary Statements   |
| KOROC                                      | X          |                   |   |
| Signal Word                                |            | х                 | Per the acute toxicity review dated 2/10/03, the signal word section must be revised to read:  DANGER PELIGRO   |
| General Heading "Precautionary Statements" | Х          |                   |   |
| First Aid                                  |            | X                 | As per PR Notice 2001-1, the following hotline information should be added to the label:  "For additional information in case of emergency call toll free (Telephone Number).  See Appendix II for suggested placement.   |

| First aid (con't)  |           |                  | PRB recommends that the Note to Physician also include text that addresses the eye irritation concerns and the presence of a cholinesterase inhibitor and should include the following information:  -technical information on symptoms, -use of supportive treatments to maintain life functions, -medicine that will counteract the specific physiological effects of the pesticide, -company telephone number to specific medical personnel who can provide specialized medical advice.  Note to PM: Please also note that as per PR Notice 2001-1, registrants are encouraged to place the statements in a box.  Please see Appendix II for formatting and placement suggestions. |
|--|-----------|------------------|---|
| Hazards to Human and<br>Domestic Animals<br>Heading<br>-Precautionary Statements |           | х                | As per the acute toxicity review, the Hazards to Humans and Domestic Animals statements must be modified as specified below:  "DANGER  Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes. Avoid contact with skin or clothing"  See Appendix II for suggested placement.  |
| -PPE   | х         |                  | Note to PM: PRB believes that chemical resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, or viton (Category F) are appropriate for this product. PRB has no objection to the registrant retaining the text allowing gloves made of barrier laminate or viton" if they believe these materials are appropriate.   |
| -Engineering Controls  | Х         |                  |   |
| -User Safety<br>Requirements   | х         |                  |   |
| -User Safety<br>Recommendations  | х         |                  |   |
| Environmental Hazards  | X         |                  |   |
| Physical and Chemical<br>Hazards   | X         |                  | ·   |
|  | Direction | ons for Use (FIF | RA Text, WPS and Storage and Disposal)  |
| Header "Directions for<br>Use"   | х         |                  | See Appendix II for placement.  |
| Violation of Federal Law<br>Text   | х         |                  |   |
| WPS Text   | N/A       |                  |   |

| Non-WPS Text   | N/A        |  |  |
|--|------------|--|--|
| Storage and Disposal   | х          |  |  |
|  | Directions | for Use (General Instructions and Information)   |  |
| Chemigation/Prohibition  | N/A        |  |  |
| Spray Drift Labeling   | N/A        |  |  |
| General Information<br>(non-site specific<br>information on uses,<br>pests, mixing and loading,<br>tank mixing, etc) | X          | See Appendix II for suggested subheading and placement.  |  |
| General Precautions and<br>Restrictions  | x          | See Appendix II for suggested placement.   |  |
|  | Dire       | ction for Use (Application Instructions)   |  |
| Application Instructions   | X          | Note to PM: The registrant should correct the typographical error the top of Page 5 of the draft label. "STRORED" should be revistoread "STORED."  See Appendix II for suggested subheading and placement. |  |

|  |   | Warranty Information  |
|--|---|---|
| Consistency with label instructions/not false and misleading | X | The "Notice of Warranty" statements contain language that negates or detracts from required label statements. For example, the phrase "Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use" imply that the Directions For Use cannot be safely followed by the user, or that some unspecified, label approved uses should be avoided, thereby detracting from the directions. The registrant must specify in the Directions For Use what are the "normal conditions of use" or what "abnormal conditions" should be avoided for the product to be " fit for the purposes stated in the Directions for Use" Alternatively, the registrant may delete the objectionable language.  The "Notice of Warranty" statements contain over broad statements concerning limitation of liability or immunity from liability ("Seller shall not be responsible for incidental or consequential damages, if any, resulting from a breach of warranty" and "This warranty does not extend to the storage, handling, or use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to Seller"), as well as purported buyer agreement to assume risk ("Buyer assumes the risk of any such storage, handling or use"). The registrant should be informed that such statements may misleading and may constitute misbranding under FIFRA. OGC has suggested that these statements be preceded by a qualifying phrase such as "To the extent allowable by State law," However, the guidance in Policy and Criteria Notice 2163.1 states that PM's will not, at this time, conduct a detailed review of such liability disclaimers or purported buyer agreement to assume risk; but will inform registrants that approval of the label with such statements should not be construed as a decision by the Agency that the language is not misleading and that the label language might eventually have to be |
|  |   | General Comments  |

## Appendix II

# **Suggested Presentation of Label**

## RESTRICTED USE PESTICIDE

| Product Name                               |
|--|
| Ingredients                                |
| EPA Registration and Establishment Numbers |
| Company Name, Address, Phone Number        |
| Net Contents                               |
| KEEP OUT OF REACH OF CHILDREN              |

## SIGNAL WORD

| FIRST AID  |  |  |  |  |
|--|--|--|--|--|
| IF IN EYES   | •Hold eye open and rinse slowly and gently with water for 15-20 minutes. •Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. •Call a poison control center or doctor for treatment advice.   |  |  |  |
| IF SWALLOWED   | <ul> <li>Call poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul> |  |  |  |
| IF ON SKIN<br>OR ON CLOTHES  | •Take off contaminated clothing. •Rinse skin immediately with plenty of water for 15-20 minutes. •Call a poison control center or doctor for treatment advice.   |  |  |  |
|  | HOT LINE NUMBER  |  |  |  |
| <ol> <li>"In case of emergency call toll free number XXXXX."</li> <li>"Have the product container or label with you when calling a poison control center or doctor or going for treatment."</li> </ol> |  |  |  |  |
| NOTE TO PHYSICIAN  |  |  |  |  |

Insert a Note to Physician that addresses eye irritation and the presence of a cholinesterase inhibitor. The following statements are suggested types of information that may be inserted, if applicable:

- technical information on symptomatology;
- use of supportive treatments to maintain life functions;
- medicine that will counteract the specific physiological effects of the pesticide;
- company phone number to medical personnel who can provide specialized medical advice.

## PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

PPE

USER SAFETY REQUIREMENTS

**ENGINEERING CONTROLS** 

USER SAFETY RECOMMENDATIONS

### **ENVIRONMENTAL HAZARDS**

PHYSICAL AND CHEMICAL HAZARDS

## DIRECTIONS FOR USE

It is a Violation of Federal Law.....

STORAGE AND DISPOSAL

General Information (non-site-specific)

The list of insects controlled with Actellic 5E Insecticide may be moved to this section.

General Precautions and Restrictions

APPLICATION INSTRUCTIONS (site-specific)

## WARRANTY STATEMENT

## APPENDIX I-A

## PRB SLN LABEL ASSESSMENT FOR EPA SLN NO. WA900038

| LABEL REQUIREMENTS                                   | ACCEPTABLE | NOT<br>ACCEPTABLE | COMMENTS/RECOMMENDATIONS  |
|--|------------|-------------------|---|
| State where registration is valid                    | х          |                   |   |
| SLN Directions for Use*                              | х          |                   |   |
| Product Name   | х          |                   |   |
| Name and Address of 24(c)<br>Registrant              | X          |                   |   |
| EPA Reg. No. (If applicable)                         | X          |                   |   |
| SLN Registration No.                                 | Х          |                   |   |
| Statement prohibiting use inconsistent with label(s) | х          |                   |   |
|  |            | *DIRECTIONS F     | OR USE  |
| General Instructions and<br>Information              | N/A        |                   |   |
| General Precautions and<br>Restrictions              | Х          |                   |   |
| Application Instructions                             | Х          |                   |   |
|  |            | GENERAL COM       | MENTS   |
| 3rd Party Registrant                                 |            | Х                 | The registrant for this SLN registration is a third party, Washington Bulb Co., Inc. It is PRB's understanding that it is RD's policy to no longer allow third party registrations for SLN registrations. |

| LABEL REQUIREMENTS | ACCEPTABLE | NOT<br>ACCEPTABLE | COMMENTS/RECOMMENDATIONS  |
|--------------------|------------|-------------------|---|
| PPE                |            | X                 | Per the IRED(Page 32) the PPE section must be revised to read:  "Personal Protective Equipment (PPE)  Mixers, loaders, applicators and other handlers must wear:  Some materials that are chemical resistant to this product are barrier laminate, butyl rubber, nitrile rubber, or viton. If you want more options, follow the instructions for category F on an EPA chemical-resistant category selection chart.*  Mixer, loaders, applicators and other handlers must wear:  -Coveralls over long sleeved shirt and long pants, -Chemical resistant footwear plus socks, -Chemical resistant gloves,Chemical resistant apron (for mixers and loaders)."  Note to PM: PRB believes that chemical resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, or viton (category F) ar appropriate for this product. PRB has no objection to the registrant using the text "gloves made of barrier laminate or viton" [category G] used for the parent product, if it is believed that these materials are appropriate.  The text "In addition, handlers must wear coveralls over long sleeved shirt and pants, chemical resistant footwear plus socks, and chemical resistant gloves apparatus (SCBA) (MSHA/NIOSH approval number prefix TC-3F" must be revised and should be relocated to the engineering controls section described below. |

| LABEL REQUIREMENTS            | ACCEPTABLE | NOT<br>ACCEPTABLE | COMMENTS/RECOMMENDATIONS   |
|-------------------------------|------------|-------------------|--|
| Engineering Controls          |            | X                 | Per the IRED (Page 33), the text in bold type below must be added to Engineering Controls:  "Engineering Controls  Application must only be made with the use of a stationary o cart-mounted fogging device which, when activated, function automatically without an operator present. In addition:  Handlers must wear the following PPE:  -Coveralls over long sleeved shirt and long pants, -Chemical resistant footwear plus socks, -Chemical resistant gloves, In addition, mixers and loaders must wear chemical resistant apron. In addition to the above, -handlers must have available to them for use in case they must enter the area during treatment, or before ventilation requirements have been met: -chemical resistant headgear, and -a self-contained breathing apparatus (SCBA)(MSHA/NIOSH approval number prefix TC-3F)." |
| Entry Restrictions            | X          |                   |  |
| Waiver of Liability Statement | N/A        |                   |  |

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

July XX, 2005

Alice Walker Agriliance, LLC 481 Country Club Drive Senatobia, MS 38668

Subject:

Actellic 5E Insecticide EPA Reg. No. 1381-170 Reregistration Label Review

Dear Ms. Walker,

The Special Review and Reregistration Division (SRRD) has completed reviews of the product-specific data submitted in response to the pirimiphos-methyl RED. Copies of those reviews (acute toxicology and product chemistry) are appended to this letter. In addition, SRRD has completed a preliminary review of the draft labeling you submitted. A copy of that review is also appended.

The draft labeling you submitted to SRRD is deficient. Please resubmit five (5) copies of revised draft labeling within thirty (30) days of receipt of this letter incorporating the revisions below:

- 1. Incorporate the mandatory (*i.e.*, "must") changes listed in the SRRD preliminary review of draft labeling.
- Incorporate the recommended changes (i.e., "should", "may") changes listed in the SRRD preliminary review of draft labeling. Although these recommendations are not mandatory, it is strongly urged you make these changes for improved label clarity.
- Under the directions for use, add the statement "Pirimiphos- methyl is intended for stored insect control, not for seed treatment (for planting) or for control of soil insects.
- 4. Delete all of the new directions for use you added to the label *i.e.*, planting of

- dyed treated seed on page 5. We objected to these directions for use back in 2001. See letter dated December 12, 2001, copy appended.
- 5. SRRD deferred to RD on whether or not to require restricted-use classification, since the product falls in Toxicity Category I for eye irritation. Since the label has a requirement for wearing wear appropriate protective face shield/safety goggles, we are not requiring the label be revised to bear the restricted-use classification language.
- 6. Combine the headings "General Remarks and Precautions" and "General Precautions and Restrictions" into ONE heading "General Precautions and Restrictions" and place all the precautions/restrictions in one place.
- 7. Under Admixture and Top Dressing Treatment, change "Grain" to read "Grain Sorghum", and "Shelled Corn" to read "Stored Corn".
- 8. Under Admixture Treatment heading, specify "Only ONE applications method may be used per load", as appeared on the previously accepted label.

Final product reregistration cannot occur until the Agency has completed the cumulative risk assessment of the organophophate insecticides.

If you have questions, please contact me on (703) 305-6736 or electronically at edwards.joanne@epa.gov.

Sincerely,

Joanne S. Edwards, Entomologist Insecticide-Rodenticide Branch Registration Division (7505C) \*Page 170-171 Confidential Statement of Formula may be entitled to confidential treatment\*